

LAW ENFORCEMENT NEWS

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Long Beach officials refuse to unleash police watchdog panel

A year-long effort by a citizens' panel to put the Long Beach, California, Police Department under the purview of an autonomous police commission has run out of steam, according to a high-ranking city official.

The panel, known as the Citizens Committee on Police/Community Relations, was commissioned by the City Council in 1980 to examine the issue. Last April, it handed its report to the council's Public Safety Committee, recommending the establishment of the oversight commission.

But an extensive review of the report and the city's law enforcement strategies that was led by Assistant City Manager Robert C. Creighton saw little merit in the plan. "The Public Safety Committee of the City Council has shown no interest in the establishment of a police commission," Creighton told Law Enforcement News last month. "I think our staff report more or less eliminated that as an option or alternative. However, they are still going to consider some other matters relating to police/community relations."

Police interaction with the community has been a hot issue in the West Coast city. Three times in January, the City Council departed from its agenda to

discuss crime control and the condition of the police department.

In the most recent such session, Police Chief Charles Ussery Sr. was put on the spot as council members fired questions at him.

"Why must citizens wait until the middle of the following day to get someone to take fingerprints after a burglary?" demanded one councilman who described himself as a recent burglary victim. "This is one of the things I had to go through."

"People are told not to touch anything and they must live with disarray for a matter of days," another council member added. "Perhaps if we got out there quicker, we might catch a few more burglars."

In response, Ussery noted that the department has only one evidence technician on duty at any one time. "We recognize that problem of a lack of timely response, and we're doing everything we can to improve," he said.

Coming to Ussery's aid in the debate, Mayor Eunice Sato informed the council that "the problem the chief faces is that he has only so many officers."

In a telephone interview, Creighton

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Fear in the boardroom: Corporate America is trembling over rising crime. But the execs are getting tough. **Page 3.**

Salvation for NIJ? America's premier research agency was sinking under the load of budgetary constraints. Enter the Reaganites. **Story on Page 3.**

Gabbing with Garvey: The president of Philadelphia's Fraternal Order of Police has his eye on the top national FOP post. Look out budget cutters, this guy means business. **Interview on page 8.**

Arrests up in Miami...

Trooper loan pays interest

The influx of 100 extra state troopers into Florida's crime-ridden Dade County has begun to pay off, as both state and local law enforcement officials announced an increase in the number of arrests in the county during the first two months of the year.

Spokesmen for the Florida Highway Patrol and the Miami Police Department told Law Enforcement News last month that the state law enforcers have taken over all traffic enforcement and accident investigation in the city, freeing local officers for crime-fighting operations.

"We normally have about 100 [troopers] in that area anyhow, but the criminal element in the Miami area and the criminal Cubans who were sent over there started to bring the crime rate up just tremendously," the state official said. "The Governor has assigned 100 of our people to primarily handle all the traffic and accidents and everything so local officers could concentrate on the criminal investigations. They were assigned for 90 days, so they're still down there."

The Miami police spokesman explained that officers from his department traffic section are "doing routine patrol work and crime prevention patrol."

"Arrests are up, but we don't know

yet about the total number of reported crimes," he added. Both officials said that no problems have arisen in grafting the state patrol unit onto the city's police agency. The state spokesman noted that the troopers are working as a self-contained entity under their own commanders. "Normally there is a captain in the Miami area in charge but they sent an additional captain down there as well as a lieutenant and several sergeants," he observed.

In a printed statement, Col. Eldridge Beach, the patrol director, noted that the extra state officers "are beginning to make their presence known" in the area.

"During a two-week period, the troopers investigated 1,353 automobile accidents and made 5,026 arrests," Beach said. "In addition they wrote 381 warnings, 911 faulty equipment notices and recovered 10 stolen vehicles. During the same period the troopers assisted 2,828 stranded motorists while patrolling 148,496 miles."

Prior to the troopers' New Year's Day arrival, there had been some talk that the policemen would have difficulty surviving on the \$40-per-day housing and meal allotment that the state pays its traveling

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Message from the editor

A case of mistaken identity can be one of the most bedeviling that a police investigator may face. Given the potential for serious error that may exist as a consequence of having to choose between two apparently identical subjects, the experienced police officer is compelled to look beyond superficial similarities for other evidence which will allow him or her to make an informed and accurate decision.

It has become apparent in recent months that the problems associated with mistaken identity are not the exclusive province of police investigators; law enforcement publications can be tormented by the very same boogymen, with possible effects which, if not the same in kind, are at least as serious in degree. Law Enforcement News, which has been operating as a non-profit corporation in the interest of the police profession since 1975, has run head-on into just such a problem of mistaken identity, and in the interest of continuing to provide the most effective service to our readers, we are departing from our usual non-editorial stance to bring the matter to your attention so that an informed and, we trust, accurate choice can be made.

At various times during the course of LEN's publishing history, we have received reports from places around the country — most notably Florida — of another periodical known as Law Enforcement News, whose motives, business practices and aims appear to be highly suspect (as one Florida police captain put it, "as far as we can determine, this is not a legitimate operation"). At the outset, the existence of another newspaper with our name was easy enough to shrug off, dismissed out of hand as no serious threat to the Law Enforcement News which we have labored to make into a respected publication in its field, and which you have continued loyally to support.

In very recent weeks, however, the level of concern over the other "Law Enforcement News" has increased in intensity and scope. The Attorney General's office in Ohio has received complaints about the machinations of this other paper, and the nationally-televised CBS News program "60 Minutes" has run a major investigative piece on the shady dealings which are perpetuated in the name of "law enforcement publishing." The CBS report specifically mentioned a "Law En-

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Study says police salary scales are hotter than firefighter's pay

Those who chose law enforcement as a profession may be pleased they're tracking criminals rather than battling blazes when they learn of a study by the Bureau of Labor Statistics which found that the salaries of firefighters continue to lag behind those of police officers throughout the nation.

As reported by the Chicago Tribune last month, the wage survey covered 153 cities with populations of 100,000 or more, discovering that police averaged a minimum salary of \$15,159 on January 1, 1980, while firefighters averaged \$14,377. Maximum salaries averaged \$18,186 for fighters and \$19,066 for cops.

However, the report by the labor agency had good news for both public service sectors, noting that salary scales for firefighters and police rose more between January 1979 and January 1980 than in previous years.

Minimum wage levels for law enforcers climbed 8.5 percent during the period, while the firemen realized a 7 percent gain. Maximum pay scales were up 8.1 percent for the firefighters and 8.3 percent for the police, according to the survey.

Providing a geographic analysis of the

figures, the report said that percentage increases were generally largest in the West and smallest in the South. On the average, annual salary levels were also highest in the West and lowest in the South, with gap between the two regions continuing to widen.

As could be expected, average salary levels for the two public safety branches were highest in cities with at least 1 million residents and lowest in cities with populations between 100,000 and 250,000.

Taking a look at the bigger picture, the survey found that from January 1975 to January 1980 the average minimum scales for firefighters and police officers increased at annual rates of 6.2 and 6.4 percent respectively. Increases in maximum scales were 6.7 percent for firefighters and 6.5 percent for police during the five-year period.

Compiled from data provided by the International City Management Association, the Fraternal Order of Police and the International Association of Firefighters, the report did not include such fringes as uniform allowances, holiday pay, hazard pay and longevity pay in its statistical analysis.

Free training package to help publicize plight of the elders

Criminal justice agencies concerned with crime against the elderly can avail themselves of a comprehensive training package on the subject, courtesy of a major senior citizen's organization, which last month published a revised version of its "Law Enforcement and Older Persons" course.

Designed to familiarize criminal justice personnel with the crime problems that are unique to the older population, the three-part guide is being distributed by the National Retired Teachers Association and the American Association of Retired Persons under a grant from LEAA.

"Provided without charge, these documents include text, training objectives, discussion questions, major principles discussed, key terms and phrases, examinations and answer keys," an NRTA/AARP announcement noted. "Programming Techniques," a guide to successful programs for and with older persons, contains detailed checklists for planning and implementation."

Using model program types and actual law enforcement cases, the training package covers such areas as aging, victimization of the elderly, communication principles, and volunteers in law enforcement.

Only a limited number of the course guides are available. They will be distributed, until supplies are exhausted, only to law enforcement trainers, educators and planners demonstrating substantial need.

For additional information write: George Sunderland, Senior Coordinator, Criminal Justice Services, NRTA-AARP, 1909 K Street, N.W., Washington, DC 20049.

Governors kill legislation to reinstate capital punishment

The Democratic governors of Kansas and New York are again frustrating legislative efforts to reinstate the death penalty in those states.

Last month, Governor John W. Carlin of Kansas vetoed for the third time in three years a capital punishment statute that had been approved by state lawmakers. "The question of whether or not a society should sanction the taking of a life is the most profound any man can address," Carlin said in effectively relegating the legislation to the scrap heap.

The bill would have allowed judges to impose death sentences on those convicted of premeditated murders and murders committed in the course of kidnapping, rape or sodomy.

During his 1978 gubernatorial campaign, Carlin had promised to sign a death penalty bill if his legal advisers regarded it as constitutional. However, he vetoed measures sent to him in 1979 and 1980, explaining that his conscience would not permit him to let capital punishment become law.

The status of the death penalty in New York State is somewhat less settled. The Assembly there recently approved for the fifth consecutive year a bill that would bring back capital punishment. While the State Senate is expected to follow suit, Governor Hugh Carey has pledged to veto the measure as he has for the last four years.

"It has almost become a geriatric case," one Republican assemblyman noted, adding that "the interest in this bill among the people of New York has not waned. They want this bill on the

books."

Carey has proposed a "life without parole" sentence as an alternative to the death penalty, but the proposal failed to attract enough interest in the Legislature. State lawmakers are expected to defeat a similar proposal this year, but they are not expected to muster enough votes to override Carey's veto of their death penalty bill.

FBI testifies on terrorism: 'We got them covered'

A new Senate subcommittee on terrorism discovered last month that its task may not be as demanding as originally expected, with an FBI official testifying that the panel's area of concern is not a particularly pressing national problem.

Lee Colwell, executive assistant director of the bureau, told the Senators that the FBI is planning to reduce by 21 the number of agents investigating members of domestic terrorist organizations.

"There has been a decline in known [domestic] acts of terrorism over the past three years," Colwell declared, noting that last year the bureau investigated 47 members of 10 potentially violent groups. This year, he said, the investigation figures will remain the same.

In spite of the FBI's scaledown, Senator Strom Thurmond (R-South Carolina), who chairs the Senate Judiciary Committee, insisted that the terrorism panel "is going to be one of the most important subcommittees of the entire Congress."

"We must do everything we can do to protect the security of the country," the Senator said.

According to the Associated Press, Thurmond created the panel as a revival of the old Senate Internal Security Committee. That board was terminated after years of controversy over its methods of investigating Communism.

But freshman Senator Jeremiah Denton (R-Alabama), the chairman of the new subcommittee, indicated that the panel would take a completely different tack. "A principal reason for the creation of this subcommittee is the need to address the concerns surrounding an alarming rise in worldwide terrorism," he said.

OJJDP board sets standards for juvenile justice functions

Dipping into a research pool that included studies by top state and national organizations, a Federal panel has compiled a detailed set of standards for the operation of the American juvenile justice system.

Contained in a 522-page report which was released last month, the 286 standards were developed by the National Advisory Committee (NAC) of the Office of Juvenile Justice and Delinquency Prevention. The guidelines call for sweeping reforms in arrest, trial and treatment procedures for youthful offenders.

While the recommendations are not particularly innovative, the report does throw the weight of a major Justice Department agency behind the reform move, which calls for the elimination of plea bargaining and increasing the number of beat patrol officers in neighborhoods identified as having a high rate of juvenile delinquency.

Other suggestions urged the establishment of a family court with jurisdiction over nearly all legal matters affecting children and providing comprehensive diagnostic services to children and

families at all stages of child development.

Expanding its review to outside the justice system, the report recommended the implementation of a comprehensive employment strategy to provide more jobs for young people and the development of methods that would limit the labeling of youth in the educational setting.

"Implementation of the standards is voluntary," a Justice Department announcement stated. "They are intended to provide direction for change, and can be used as a benchmark for measuring progress toward improving the quality of juvenile justice."

Second IACP vest test fills holes in body armor failure

Patrol officers can vest-up in confidence with the latest in bulletproof soft body armor as a result of recent testing by the National Bureau of Standards and the International Association of Chiefs of Police.

In October 1978, IACP and NBS's Law Enforcement Standards Laboratory failed 25 of 53 vest models tested as being unsuitable for law enforcement applications. But apparently, when IACP talks, police equipment manufacturers listen. All of the companies whose products flunked the original test submitted new models to IACP, which announced last month that all of the redesigned vests passed the second exam with flying colors.

Norman Darwick, IACP's executive director, praised the affected corporations for "their outstanding response to the technological needs of law enforcement."

Commenting on the significance of the final findings, an association spokesman pointed out that there are now "no known corporations manufacturing soft

body armor that does not meet the standards developed by the three cooperating agencies: LESL, IACP and the National Institute of Justice."

According to IACP, soft body armor "is fast becoming standard issue in many U.S. criminal justice agencies and among American corporate executives." More than half of the nation's 600,000 police officers are using the lightweight protective vests, an association statement noted.

Delaware violent crime climbs, foreshadowing a national rise

Another indication that 1980 was a bumper year for violent crime in America flashed down the newswire last month, with Delaware officials reporting increases in the state's murder, rape and robbery rates.

According to preliminary figures compiled in the state's statistical analysis center in Dover, homicides rose from 34 in 1979 to 38 last year; rapes increased from 155 to 159, and armed and strongarm robberies were up from 738 to 815.

The only violent crime to show a decline in Delaware was assault, which dropped from 2,163 to 1,780 cases in 1980.

Property crimes helped push the state's overall offense rate for last year 6.4 percent higher than in 1979. Burglary was up from 8,856 cases to 9,533, and thefts not involving automobiles increased from 22,972 to 24,619. Auto theft dropped from 2,855 to 2,713 reported offenses.

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Industry moguls would loosen restraints on policing

Corporate America has adopted a hard line on crime, with 88 percent of top Fortune 1000 executives calling for increased power for law enforcement agencies and 90 percent believing that the death penalty discourages homicide.

Those were two of the key findings of "The Figgie Report Part II," which was released last month by a private research firm as part of an ongoing analysis of the fear of crime in America.

"Senior executives of Fortune 1000 companies are taking a very active stand in combating personal and corporate crime," the report said. "Fifty-three per-

cent secure their homes with burglar alarms, fire alarms and other safety measures. More than one in four have an unlisted telephone number and keep the location of their residence confidential. More than one in three vary their daily route to work."

Commissioned by Harry E. Figgie Jr., the chief executive officer of the conglomerate A-T-O Inc., the new research found several distinctions between the corporate view on crime and that of the general public, which was detailed last year in the first part of the report.

While only 63 percent of the non-

corporate sample favor giving the police greater authority to question suspects, nearly nine out of ten high-level executives support such a notion. Similarly, 97 percent of the corporate leaders would like to see long prison sentences imposed on violent criminals, compared with 89 percent of the general public.

A wider discrepancy was revealed in a survey question on police use of wiretapping. While 76 percent of the businessmen favored the use of such surveillance, only 21 percent of the public supported the idea.

"The above figures indicate a deep dissatisfaction with the present criminal justice system," the report observed. "Top executives are even more concerned than the general public, and they are also more apt to believe that punitive measures are effective in combating crime."

Many of the executives are taking their own measures to counteract what they perceive as a crime wave. Almost half said that crime in their corporate neighborhood has forced them to revamp company security policies.

More than three out of every five Fortune 1000 companies have a burglary alarm system and electric floodlighting, the researchers discovered. Half have automatic light timers and closed circuit television. About two in five have electronic card identification systems, and one in four has armed guards.

"A few companies have even considered relocating because of the threat

of crime," the report stated. "Those who perceive a recent increase in crime are slightly more inclined to take precautions than those who do not perceive an increase. Those residing in large cities and those who know a crime victim also tend to exhibit somewhat higher levels of concern."

Concern over the threat of kidnapping is apparently running through some corporate boardrooms. Four out of every ten respondents to the survey expressed the fear that they, a family member or a business associate will be abducted.

"These 39 percent are far more likely to take security precautions than those who do not express concern about kidnapping," the study stated. "Seventy-six percent of those who express such kidnapping concerns take at least one residential precaution and 53 percent take at least one precaution when they travel, compared with 49 percent and 35 percent, respectively, of those who are not fearful about being kidnapped."

The executives' fear of kidnapping is not without grounds. During the 1970's, business paid an estimated \$250 million in ransoms, according to the report, while all forms of terrorism cost multinational corporations twice that amount.

"And there is no indication that terrorist activities will abate," the researchers said. "...E. Patrick McGuire [an antiterrorism expert] noted recently that 'one of the popular misconceptions

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Corporate America's anticrime offensive

Has your company installed any of the following precautionary devices at company headquarters:

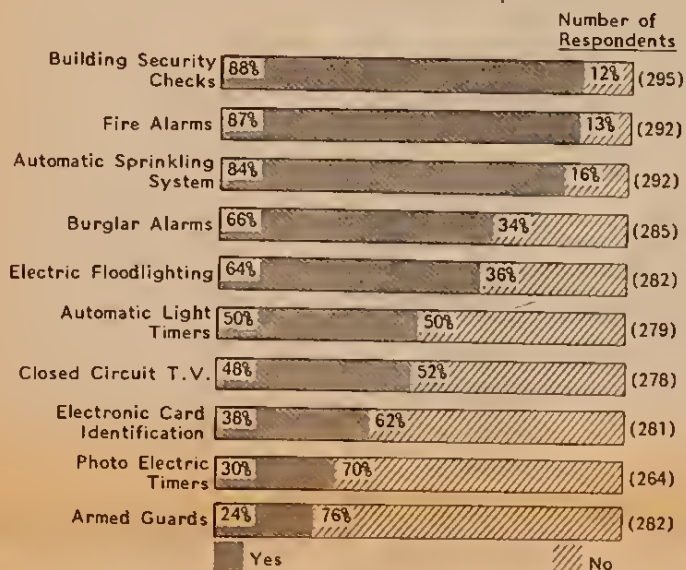


Chart courtesy of The Figgie Report, Part II: The Corporate Response to Fear of Crime.

Reagan budgeteers breathe new life into criminal justice research

While not exactly awash in greenbacks, the National Institute of Justice may be rolling above the bureaucratic poverty line, hailed out by a proposal from the Office of Management and Budget that would raise the agency's appropriation for the 1981 fiscal year to \$19 million.

In an interview with Law Enforcement News last month, a high-level NIJ source noted that the monetary change of heart was due to the change of administrations, with the Reagan Administration placing more emphasis on combating street crime.

"What we heard is that we've been increased and the money has been restored for FY '81 to \$19 million," the source said. "Before we were at \$7.5 million for programs and \$2 million for administration. So we're going to get about \$10 million more."

The increase proposed by Reagan's budget writers at OMB must be approved in Capitol Hill before NIJ sees as much as a penny of the new funds, but staffers at the criminal justice research agency are optimistic. "More than likely we will [receive the revised appropriation] since this is the President's budget," an NIJ official noted.

NIJ has gone through a period of nail-biting since last December, when a lame-

duck Congress chose the lower of two figures from a recommended House appropriation of \$25 million and a Senate offering of \$7.5 million in program funds.

The lame-duck appropriation had left the agency's 1981 funding plan waddling in a mire. Only \$200,000 was earmarked for police research, \$100,000 was put aside for a study of collective bargaining, and \$50,000 was left for in-house research.

If the new, higher appropriation clears Congress as expected, NIJ will be revising its 1981 game plan for the third time. "We're looking at our priorities again in the police area, and we will be able to fund more projects," the source observed, adding that nothing will be finalized until the funding is available.

There was talk that massive staff cuts were to be made at NIJ, but the source noted that "absolutely none" had been made in the changeover in administrations. Harry Bratt still remains as acting director of the agency.

No action has been taken on changing the members of NIJ's advisory board, who were appointed by President Carter shortly before he left office. The source indicated that the board has yet to get into action, since there are still vacancies to be filled.

Druggies mellowing out?

Pot use goes up in smoke

A 20-year boom in illicit drug use in America is showing signs of having peaked, according to the head of the National Institute on Drug Abuse.

Testifying before Congress recently, Dr. William Pollin, the institute director, cited two nationwide studies which indicate that the smoking of marijuana and angel dust is on the decline.

"During the last two years there has been the beginning of what may turn out to be a very important change for the better," Pollin said. "For the first time we saw a substantial leveling-off on a nationwide basis of the use of all drugs and a very slight but first-time-ever decrease in the daily use of marijuana by high school seniors."

As reported by the Chicago Tribune last month, marijuana smoking had increased for 20 years, with additional numbers of juveniles taking up the habit. Between 1975 and 1979, the use of marijuana doubled, resulting in a situation in which more than one out of every nine high school seniors smoked the weed daily.

While many experts feared that the number of teenage pot smokers would double in three years, Pollin suggested that surveys conducted by the University of Michigan's Institute for Social Research and by the Justice Department indicate otherwise.

A report from the Drug Enforcement Administration showed a 20 percent decline in adverse reactions to marijuana overdoses reported by hospital emergency rooms in the third quarter of 1979 and during a similar period last year. A 20 percent drop in adverse reactions to PCP, or angel dust, was also recorded.

According to Pollin, a number of factors have contributed to the decline in pot-puffing, not the least of which is broader awareness of the potential dan-

gers of the weed, leading to a change in popular notion that the drug is basically harmless.

"The earlier attitude that marijuana was a benign drug was very unfortunate," Pollin said. "I don't know of any group that now believes marijuana is harmless."

The change in attitude is being exhibited in the growing disapproval of drug users among their peer group, Pollin noted, and a rise in drug treatment programs, which have increased in number to more than 3,500 nationwide.

Pointing to the University of Michigan report, which surveyed 17,000 high school seniors, Pollin noted a sharp decline in the smoking of regular cigarettes among the youths, a trend that might indicate a decline in drug abuse. The study said that in 1980 about 21 percent of the seniors smoked cigarettes daily, representing a 25 percent drop since 1976.

New radar rules may cost big bucks

The National Highway Traffic Safety Administration has dropped the other shoe regarding Federal standards for police radar, announcing that few, if any, units currently used to detect highway speeders would meet the requirements.

NHTSA spokesman Ron Engle gave the bad news to United Press International last month, noting that the standards would be mandatory only for radar purchased with the help of Federal funds. However, he added that the guidelines should have the effect of setting minimum specifications for acceptance by courts throughout the nation, a situation that could make the units presently used by police obsolete. The standards are expected to be adopted this summer.

People & Places

Justice Dept. reels under Reagan rocking

The executive portal of the Justice Department resembled more of a revolving door last month, as Carter appointees beat a hasty path beyond the Potomac and prospective members of the Reagan Administration began to breeze in for potential positions.

Among the first to go in the sweep was Homer Broome, who resigned as Administrator of the Law Enforcement Assistance Administration on February 20. He was joined in departure by Ira Schwartz, the head of the Office of Juvenile Justice and Delinquency Prevention. George Bahlinger, currently the head of LEAA's Office of Criminal Justice Programs, will

take over as interim head of LEAA.

Meanwhile, President Reagan nominated Lowell Jensen the district attorney of Alameda County, California, as assistant attorney general in charge of the criminal division. Jensen is a friend and former associate of White House counselor Edwin Meese III, having worked with him in the Alameda DA's office.

Also nominated for top Justice Department posts were Rudolph Giuliani as associate attorney general, William Baxter as assistant attorney general in charge of the antitrust division and Theodore Olson as assistant attorney general for legal counsel.

Happy canine story has a tragic ending

A Washington, D.C., police dog named Major 8 was the main character in an unusual canine story last month, a tale that took an ironic wag. The dog was honored in the D.C. Court of Appeals for solving a rape case only two days after being put to sleep as the result of an incurable arthritic condition.

The dog broke the rape case by sniffing down the suspect to a restaurant where he had been dining, and the D.C. Superior Court permitted testimony about Major 8's work, which led to the conviction of the rapist. The defense protested that since the dog could not be cross-examined, testimony regarding its

actions should not be permitted.

The three-judge appeals court saw no legal problem with the canine's side of the story being put on the record, and it upheld the conviction. "It's a great victory for police dogs," Assistant U.S. Attorney Barry M. Tapp told reporters. "It's too bad Major 8 won't be around to savor the victory."

A 15-year-old veteran of the D.C. force, Major 8 helped solve more than 100 felony cases and was awarded the department's medal of valor in 1978 for saving the life of his handler, Officer Frederick Lewis. The rape case may be his greatest legacy, however, since the appeals court decision seemed to attach substantial weight to investigative work by police dogs and may have implications in future cases.

Tenn. nets ad gem

Diamonds may be a safety agency's best friend, or at least that was the case last month when the Tennessee Department of Safety was presented with a Diamond Award by the Nashville Advertising Federation.

The admen singled out one in a series of four 30-second TV commercials that were written by department members to promote traffic safety. The award winner depicted rows of corpses covered with red sheets on a deserted stretch of highway, with an announcer declaring that of the 1,236 traffic fatalities in Tennessee during one year, only two of the victims were wearing seatbelts.

All four of the public service spots have been receiving good airplay from TV stations in the state, according to the agency. They were funded through the state safety education program which receives its money from a 50-cent assessment on each traffic offense.

Tate PRs prisons

Criminal justice PR-man Ron Tate made an intrastate job switch recently, resigning his position as the public information officer for the Alabama Law Enforcement Planning Agency to become the spokesman for the state's prison system.

Prison official Gene Giles, who has been pinch-hitting in the PR slot, said Tate was considered the best qualified of several persons who had interviewed for the job. "He was considered best qualified because he had experience in a law enforcement agency, and was serving as an information officer in a law enforcement agency," Giles noted.

DC bailers lauded

The D.C. Pretrial Service Agency was designated an Exemplary Project by the National Institute of Justice last month for its 95 percent success rate in screening defendants who were released in their own recognizance.

The 1979 figure was matched with a 90 percent rate for all defendants released on some other form of non-financial release. This compares with an 82 percent rate for such defendants in Miami, 86 percent in Louisville and San Jose, and 87 percent in Tucson.

Citing the 18-year-old project's cost effectiveness, an NIJ statement said the screening agency tightened its cost per case from \$95 to \$10 through the use of computers, reduced staff size and the elimination of outmoded functions.

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COMMUNICATIONS SECURITY

Low, medium, and high-level scramblers. For telephone, radio, or data. And now LEA introduces the Cypher Pad, an inexpensive, ultra-high level encryption device. Communicate with confidence.



OPTICAL SYSTEMS

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EMERGENCY/SAFETY

Warning lights, flashers, sirens, flashlights, first aid radiation detectors, lightbars, distress flares. Exclusive photo-luminescent paint, glows in dark.



SPECIAL SERVICES

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BOMB CONTROL

Letter bomb detectors, bomb blankets, pouches, bomb suits, sniffers. Useful new letter bomb visualizer spray to safely confirm the contents of suspect envelopes.



CONTRABAND DETECTION

Explosive detectors, metal detectors, x-ray for luggage and parcels, buried object locators, personnel scanners. Protect passengers, courtrooms and VIP's.

CRIMINALISTICS

Evidence collection, invisible entrapment kits, fingerprint kits, narcotics testers, loto-fit. Extensive line of electronic and chemical investigative aids.



PERSONAL PROTECTION

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SUPREME COURT BRIEFS

By AVERY ELI OKIN



With the same single-minded determination which has aided many of his prior successes, Chief Justice Burger has sounded the call for a crusade against crime. The strength of the Chief

Justice's conviction in stemming the pervasive rise in the violent-crime rate was articulated in his twelfth annual report to the American Bar Association, delivered in Houston, on February 8.

Departing from the format of his recent addresses to the mid-year meeting of the A.B.A., which analyzed various problems in the field of judicial administration, the Chief Justice concentrated on the singular theme of "Crime and Punishment." Focusing on the fear held by many urban residents of being the victim of a violent crime, Chief Justice Burger said, "We are approaching the status of an impotent society — whose capability of maintaining elementary security on the streets, in schools, and for the homes of our people is in doubt."

After extolling the virtues and safeguards of the American criminal justice system, Chief Justice Burger posed the rhetorical question: "Is a society redeemed if it provides massive safeguards for accused persons including pretrial freedom for most crimes, defense lawyers at public expense, trials, and appeals, re-trials and more appeals — almost without end — and yet fails to pro-

vide elementary protection for its decent, law-abiding citizens?"

While setting forth unoriginal methodologies for combating crime, the Chief Justice contended that success in the war against crime can only be attained after society makes the costly financial commitment that is required. To make his point, Chief Justice Burger urged that such a financial commitment should be "as much a part of our national defense as the Pentagon budget."

In keeping with his strong support for police the Chief Justice remarked that the "first step to achieve deterrence is to have larger forces of better trained officers, the Supreme Court recently announced two cases, reviewed below, which provide law enforcement agencies with the guidance in the use of controversial police methods.

Police Interference with Right to Counsel

In a unanimous decision, the Supreme Court ruled that the dismissal of an indictment on charges of distributing heroin was not an appropriate remedy where Drug Enforcement Administration agents may have technically violated the Sixth Amendment through conversations with the defendant.

The decision was announced more than two and a half years after Hazel Morrison was indicted on two counts of distributing heroin in violation of 21 U.S.C. §841(a)(1). After having retained private legal counsel, the defendant was visited in her home by two DEA agents who were working on another case, and who sought to obtain her cooperation in

the defendant's home took place with neither the knowledge nor the permission of the attorney.

During the meeting, the agents informed the defendant of the government's protection plan for informers, indicating that if she became an informant they would make recommendations to the U.S. Attorney for lenient punishment. The agents also informed the defendant that if she wanted to cooperate in their investigation and thereby avoid a lengthy prison term, she would have to retain the public defender as her attorney.

The narcotics agents went on to inquire as to how much the defendant was paying her attorney. Upon learning that a \$200 retainer had been paid, one of the agents told the defendant that he had seen the quality of the retained attorney's work and that she should think about the quality of the representation that she was getting for her money. It was again strongly suggested that she would receive better representation from the public defender.

Rather than taking the agents' advice, the defendant contacted and relied upon the attorney she had previously retained. Shortly after the meeting, when Morrison had decided not to take advantage of the offer to become an informant, a motion was filed to dismiss the indictment with prejudice on the grounds that the agents had interfered with her Sixth Amendment right to counsel. The motion did not allege that the conduct of the DEA officials "prejudiced the quality or effectiveness" of the defendant's legal representation, nor was it claimed that the agents' actions induced the defendant to plead guilty. In the words of the Supreme Court, the motion was based solely on the behavior of the DEA agents, "which was described as having interfered in some unspecified way" with the right to counsel.

Without rendering an opinion, the United States District Court for the Eastern District of Pennsylvania denied their motion. Following that decision, the defendant entered a conditional plea to one count of the indictment. The Court of Appeals for the Third Circuit reversed the judgment of the District Court, concluding that the defendant's Sixth Amendment right to counsel had been violated. According to the appellate court, "whether or not any tangible effect" on the defendant's representation was shown, dismissal of the indictment was an appropriate remedy.

Concluding the Court's response to the alleged Sixth Amendment violation, Justice White held that in the absence of demonstrable prejudice, or substantial threat thereof, dismissal of the indictment is plainly inappropriate, even though the violation may have been deliberate." (United States v. Morrison, No. 79-395, decision announced January 13, 1981.)

Border Stops

In another unanimous decision, this one delivered by the Chief Justice, the Supreme Court held that in determining what constitutes sufficient grounds for an authorized police stop the "totality of the circumstances — the whole picture — must be taken into account."

The Court described the "whole picture" test by noting that the test is met when the detaining officers have a "particularized and objective basis for suspecting that the particular person

stopped of criminal activity."

Providing the avenue for the formulation of the test was the question of whether objective facts and circumstantial evidence, which suggested that a particular vehicle was involved in illegal activity, provided a sufficient basis to justify an investigative stop of that vehicle. The present case arose in 1976 when Border Patrol officers on duty in a sparsely populated section of south-central Arizona discovered human footprints. From tracking the footprints it was deduced that groups of 8 to 20 persons had walked north from the Mexican border, across 30 miles of desert and mountains to an isolated point on Highway 86. Prominent among the sets of footprints along the well travelled 30-mile path was a shoeprint with a "distinctive and repetitive V-shaped or chevron design."

Aware that the smuggling of aliens across the border usually occurred after dark, that is after 6 P.M., the Border Patrol officer calculated that at the rate of 2 1/2 to 3 miles per hour, it would take between eight to twelve hours to walk from the Mexican border to the spot on the road, milepost 122, where the tracks disappeared. The estimated arrival time was placed between 2 and 6 A.M.

From previous observations of when the tracks appeared, the Border Patrol officers had learned that the "chevron" tracks only appeared on weekends when there was clear weather.

One weekend night, the first clear one after three rainy days, two Border Patrol officers parked their vehicle in an elevated location 27 miles east of milepost 122. The officers had calculated that driving at night it would take about 1 1/2 hours for a vehicle capable of carrying 8 to 20 people to travel from their checkpoint to milepost 122 and back. On the night of the stakeout only two vehicles which had the capacity to transport a group of people passed the checkpoint. At 4:30 A.M., a pickup truck with camper shell passed the checkpoint heading west. At 6:12 A.M., the same

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New York City anticrime plan gets thumbs down from NCCD

The National Council on Crime and Delinquency last month gave failing marks to a plan by the mayor of New York City to bail the metropolis out of a continuing upsurge in crime.

Describing Mayor Edward Koch's proposals as "misguided," the council said that the anticrime blueprint gives "the illusion of constructive action while the more basic problems connected with street crime are virtually ignored."

According to the New York Times, the council specifically criticized Koch's suggestions to reinstitute the death penalty, to impose longer prison terms for some offenders, to detain dangerous suspects without bail before trial, and to allow the use of evidence seized by police in violation of the Fourth Amendment if the officer was acting in "good faith."

NCCD did like the mayor's call for an increase in the number of criminal court judges in New York City, but its overall assessment was that the plan would curtail important civil rights provisions without having an impact in the city's offense rate.

The council, which was founded in New York City in 1907, is itself a refugee of sorts from the metropolis's soaring crime rate, having moved its headquarters from the Big Apple to Hackensack, New Jersey, in 1972. Its directors include Police Foundation president Patrick V. Murphy, former U.S. Attorney General Elliot L. Richardson, and Bill Cosby, the comic.

Announcing a plan of its own to clean up crime, NCCD advised the city to widen the focus of its efforts to help the unemployed and socially disadvantaged

"who have been given no better choice in life than the commission of street crime."

New York must begin to "revitalize its local economy" by developing new community-based enterprises that will help create jobs, particularly for young people, "as an antidote to urban crime," the council's report said.

Robert G.M. Keating, Koch's criminal justice coordinator, appeared to be looking for an antidote to the report, which he characterized as "superficial," "simplistic" and "not a thorough, broad-based analysis of our proposals."

Specifically, Keating said that the study was unfair in singling out a small number of the mayor's 33 legislative proposals for criticism while ignoring others. "The impression that the report gives is that these are the extent of the mayor's proposals, and that is very misleading," he asserted.

In releasing the report's findings at a Manhattan press conference, Diana R. Gordon, the council's executive vice president, singled out provisions in the plan that call for harsher penalties and pretrial detention of dangerous offenders. She noted that such moves "may raise public expectations but would be ineffective at controlling street crime."

The report itself came down hard on Koch's and Governor Hugh Carey's get-tough attitude on sentencing, noting that long and mandatory prison terms do not deter crime. It pointed to the state's mandatory sentencing statute for big-time drug offenders, noting that that law has not caused a decrease in heroin trafficking since its enactment in 1973.

IACP joins Reagan's war on terrorism

In an echo of the Reagan Administration's battle cry against global terrorism, the International Association of Chiefs of Police has announced the formation of an International Center for the Study and Prevention of Transnational and International Criminality.

In a statement released last month, association president William F. Quinn indicated that IACP staff and resources have been committed to the development of a center which will act as a clearinghouse for the exchange of information on terrorist activities.

The center, which has already received the backing of several multinational corporations, is also intended to provide anti-terrorist training opportunities for both police and corporate executives.

Welcoming the toughened U.S. stance on terrorism as a "long overdue," Quinn, who is police chief of Newton, Massachusetts, indicated that IACP's 13,000 members in over 60 nations put the association in a unique position to formulate policy and exchange information.

Miami gives 'good deals' on troopers' meals

Continued from Page 1

employees, but the Miami citizenry came through.

"Some of them, as I understand it, are getting their rooms for nothing and are getting good rates on meals," the state spokesman said. "You cannot live in Miami on \$40 a day — to rent a room and eat three meals a day. So the local citizens, feeling that the whole thing was for their benefit, pitched in and came up with some rooms and got good deals on meals for the men."

The press representative of the Miami police noted that the extra troopers unit had been scheduled to remain until the

end of this month but that an extension is being considered. Under the plan, the visiting lawmen were to be rotated after a month of Miami duty, but some of the troopers apparently know a good thing when they see it.

"Thirty-four of the original 100-men Task Force volunteered to stay longer than one month, which will help the next group of troopers to get acquainted with the Miami streets and expressways," Beach said. "We sincerely hope that the local crime situation is improved as a result of this operation."

Last month, Dade County's Metro Commission began making its own move

to battle crime in the area, approving a \$250,000 police recruitment program. The county and city police forces have been understaffed for several years, exacerbating the area's poor crime picture.

According to the Miami Herald, the effort includes providing a \$500 savings bond to anyone who refers an applicant to the Public Safety Department, provided that the candidate is admitted to the police academy. It also involves paying moving and travel expenses for police recruits and waiving the county's residency rule to recruit police from neighboring counties.

To get local residents thinking about police careers, County Manager Merrett Stierheim plans to spend \$55,000 on an advertising campaign which will stress the theme "law enforcement is a noble profession."

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Long Beach officials defend Ussery

Continued from Page 1

also came to Ussery's defense. "You must remember that Chief Ussery is a fairly new police chief," he asserted. "He was appointed last year and is certainly doing everything he can to improve procedures and operations, but it's not something he can do overnight."

The assistant city manager also pointed to the number of officers in the police department. "Manpower is something of a problem in almost any city," he said. "We feel that the amount of budgeted strength that we have is sufficient to do the job, but on the other hand, it's certainly not excessive. I suppose any police department could always use, to good effect, additional police officers. Yet our fiscal restraint makes it impossible to add more officers, particularly in light of Proposition 13 here in California."

Shifting from blame to praise, the City Council was more taken with Ussery's

plan to place an internal affairs officer in a City Hall office.

"Three days a week, a member of the police department's Internal Affairs Division has office hours here at City Hall," Creighton explained. "In case there are any citizens who might be intimidated by going to the police's Public Safety Building, they can come to City Hall and see the internal affairs officer here."

While Creighton noted that the City Council has no plans to examine police brutality, the issue has once again been brought to public attention through a series of articles in the Long Beach Independent Press-Telegram. The newspaper examined a string of incidents in which police allegedly used excessive force.

But Creighton indicated that the stories were biased, noting that the police officers involved and city officials could not present their views on the incidents

because the outcome of many of the cases is pending in court.

"The only things the reporter got was the stories from the people involved and a few witnesses, and there's no way of knowing whether those witnesses were reliable or not," the official observed. "I would have to say that that particular series did not, in a sense, objectively present both sides because the city people couldn't comment."

Whatever the effect of the newspaper series, Lieut. Jerry Heath, internal affairs supervisor of the Long Beach force, believes Ussery is doing all he can to stem police misconduct, noting that in 1980 the chief fired 2 officers, gave 19 others days off without pay, issued 18 reprimands and ordered counseling for 8 cops.

"I've been with the department 19 years," Heath told one reporter, "and this is the most activity I've seen."

Business execs urge tough crime stance

Continued from Page 3

is that terrorism is not very effective. Three out of four terrorist attacks since 1970 were considered successful."

Asked to give their views on the causes of crime in general, 55 percent of the business leaders sampled said the breakdown of traditional values and the family structure is the number one reason for the rising offense rate. About 40 percent cited the leniency of the courts and less than a third cited economic factors such as unemployment and poverty.

But an overwhelming 99 percent of the executives respondents believe that the prison system as it is presently structured is ineffective in rehabilitating criminals. Two-thirds favored probation for first offenders at the discretion of the court, and 58 percent said that the emphasis of prisons should be rehabilitation.



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Victim-assistance programs can put cons behind bars

Police-community relations is a concept that traditionally has encompassed a wide range of people and attitudes. A great many citizens have little or no contact with the police. On the other hand, with the rising crime rate, a growing

PUBLIC FORUM
By **SLOAN T. LETMAN**
and **HERBERT SCOTT JR.**

minority of people are having direct dealings not only with the police but with much of the rest of criminal justice system. These people are the victims and witnesses of crimes. Victim-witness programs have arisen to meet the needs of these people and benefit the criminal justice system. While victim-witness programs do not deal directly with police-community relations, their effectiveness ultimately does have an effect on this delicate and sensitive relationship.

The problems concerning victims and witnesses of crime are not new, but they have long gone unnoticed with little public attention being focused on them. Indeed, only fairly recently has the criminal justice system itself become concerned with the problems of victims and witnesses. These problems fall essentially into two categories: the personal problems a victim or witness must deal with as a result of the crime, and the problems the criminal justice system and the victim or witness encounter while trying to work together to facilitate the successful prosecution of the offender.

A major fact to be considered is that the victim of a crime is often the only or best witness to it. If a criminal case is to be successfully prosecuted, the victim of the crime must be a witness. Even if the victim cannot identify the perpetrator he or she must still be there as a complainant to show that a crime took place. Victims of crime face problems as a result of the crime apart from being a witness. These problems vary with the crime: murder will leave the victim's family disorganized; rape or assault may leave serious psychological or physical problems; a burglary may leave a person feeling powerless and emasculated, and all may cause some degree of financial difficulty, such as loss of income due to injury, loss of property or medical costs.

Being a victim of a crime is hard on a person, and the process of going through the criminal justice system as a witness only compounds things. This is where workers in the system, particularly police and prosecutors, run into problems with victims and witnesses. The function of the courts is to try people to determine their guilt or innocence. Obviously, the prosecutor's goal is to achieve as many convictions as possible. In order to do this, he needs to have his witness in court. Unfortunately, this is easier said than done, especially in a large metropolitan area. The reason is that the courts are vastly overcrowded and cases are continued over and over, and it is necessary for the witness to be there each time. This presents the fundamental problem of notifying and getting the witnesses to court. In Cook County, Illinois, it is impossible for the State's Attorney's Office to do this; they are too busy with their caseload. One state's attorney, when asked how he gets together with his witnesses, said they just sort of appear at the bench. The point is that witnesses are responsible for getting themselves to court on their own. Considering the numerous times a witness may have to appear in court, it is easy for him to decide to forget all about the case.

There are many reasons why a witness may be reluctant to go through the criminal justice process. The inconvenience of the whole process is a major factor. Getting involved with the law may take too much time and effort. Taking periodic days off from work can hurt financially or cause problems on the job or even loss of a job. Some people may not want the trouble or embarrassment that being a witness can bring. Many people distrust the criminal justice system. They see the police, attorneys and judges as being all in it together and they feel like an outsider. Frustration and anger cause some willing witnesses to drop out; they get fed up with the unfairness, slowness, and impersonality of the system. The witness may also see that he and the criminal justice system have different priorities. The victim wants justice done in his case by having the accused put away. To the system, his case is just one of many. Plea bargaining is rampant. The victim may feel that justice

as he sees it will not be done at any rate, so he will forget the whole thing.

All these problems concerning victims and witnesses have led to some much-needed programs to help them and the cause of justice. Little was done in the way of victim-witness assistance before 1974. Then the National District Attorneys' Association set up a Commission on Victim-Witness Assistance to determine the extent of the problems faced by victims and witnesses and to get district attorneys involved in helping them. They came up with some ideas on the role victim-witness programs could play to help the previously overlooked players on the criminal justice stage.

One thing the commission said was needed was social service referral for people who were suffering from the after-effects of a crime. They would be referred to an appropriate social agency that could help them, and the NDAA commission also said that police should tell people of this when answering a call to a crime scene.

Another thing they felt was needed was employee assistance. Many witnesses have to take time off from work to testify, which causes a conflict with their responsibility to a job, as well as a loss of pay. It could even jeopardize their job because many employers do not want their employees taking off periodically. The victim-witness program could contact employers to explain the need for their employee's presence in court, and also to try to get their day in court paid for.

Notification services would be another function of victim-witness programs. Such a service would inform witnesses about the steps in the criminal justice system, and more importantly, would send notices to each witness informing them of each court date. Witnesses would also be notified when not to come to court if the case was going to be continued, and about final dispositions of cases. A good idea, which would probably work best in less-populated jurisdictions, is the telephone alert system in which witnesses are called at work an hour or so before their case is to come up. This would allow witnesses to come to court promptly with the least possible interrup-

tion to their day.

A victim reception center in the courthouse was yet another idea. The need here stems from the fact that most victims consult with prosecutors right in the hallway and are also forced to mingle there with the same people who committed the crimes against them. Quite obviously, this can cause a lot of apprehension to the victim. The reception center would be a comfortable, friendly place where victims could go, while permitting state's attorneys to confer with their clients in private.

The commission also recommended that prosecutors push for legislation to help victims and witnesses. Some possible initiatives include compensation guarantees for victims and a tax credit for employers who pay their employees while they are in court. A need was also cited for a law that would allow a photograph of the evidence to be used in court in lieu of the actual evidence, thus allowing property to be returned to the victims that much sooner.

Victim-witness programs have since been started around the country, consisting of four main types: government-sponsored, community-based, court-based and problem-centered. Chicago has been right in the forefront of these programs. The Cook County State's Attorney's Office acted upon the NDAA commission's recommendations, and with LEAA funding set up a victim reception center at Branch 44, a felony preliminary hearing court in Chicago. The center was a large, comfortable room with coffee and reading materials available. There was a small private room, within the larger room. When the victims were notified of their court date they were told to go to the victim center to register. This allowed the state's attorney to see if all his witnesses and victims were present to testify. He was able to use the small room to brief his clients in private, thus ridding the clients of the apprehension cause by waiting around in the halls.

Once the victims/witnesses were briefed, they were escorted to the courtroom by a paralegal who saw that they were seated and ready to testify. Paralegals were also on hand to pick up clients

Continued on Page 12

Philly brutality suit torn again

A last-gasp effort by the Justice Department to reinstate a brutality lawsuit against the city of Philadelphia and its police department failed last month when the U.S. Court of Appeals for the Third Circuit refused to reopen arguments in the case.

Apparently the end of the line in the first legal attempt to charge an entire city with brutality, the recent decision upholds the dismissal of the case by U.S. District Judge J. William Ditter, who ruled in 1979 that the Justice Department did not have the legal grounds to sue Philadelphia.

Last December, a three-member panel of the appeals court had backed Ditter's decision, but attorneys from the Justice Department's Civil Rights Division pushed the issue, requesting that all nine members of the court hear their arguments on why the suit should be reinstated. Last month's 5-to-4 decision denied the request.

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Toeing the union line for Philly

An interview with Thomas J. Garvey, president of the Philadelphia Fraternal Order of Police

LEN: Could you give us a brief background on the origins of the Fraternal Order of Police — how it started, how it managed to grow to the size and influence it presently holds among police officers throughout the country?

GARVEY: The Fraternal Order of Police started in the early 20's in the city of Pittsburgh, Pennsylvania. It started as a fraternal organization, basically police officers getting together to exchange viewpoints, etc., relative to their profession. It emanated into a conglomerate of police organizations across Pennsylvania, then eventually into what it is today, in approximately 20 states. In many of the states where it has functioned as a labor organization, in that it represents police officers in their negotiations and/or arbitration for their working conditions, benefits and salary, it has become known as probably the forerunner of the other organizations that now represent police across the country. Here in Pennsylvania, and specifically Philadelphia, we are equal in power to any organization that is unionized and we represent 99 percent of all police officers in the Commonwealth of Pennsylvania, including state police, liquor agents, narcotics officers, the cities of Pittsburgh, Philadelphia, all third-class cities, towns and boroughs, campus police, bridge police, and almost every entity that exists as a police law enforcement organization.

LEN: Would it be fair to say that local police administrators contributed greatly to the rise of police unions in the sense that they traditionally have neglected their personnel responsibilities toward police employees?

GARVEY: I think that's true. I think in essence when any group of individuals, especially in a professional arena such as ours, begin to see themselves in a way that they deserve better conditions, better salary, more control over what they are instructed to do, they formulate a policy which ends up in a representative organization such as the Fraternal Order of Police to address their problems, look for areas for grievance, and attempt to set standards for hiring to assist the administration end of their profession. Basically when you're in an arena that is political, such as Philadelphia, you are confronted with a situation where you are almost mandated to form a representative group to express what you think.

LEN: Would there be any specific areas — you mentioned salaries and working conditions — would those be the two main kinds of things that you would be faced with in terms of police administrators not taking their personnel responsibilities seriously?

GARVEY: I think it's a cross section of a lot of things. Number one, the key element is wages and working conditions, and the second part is certainly that in serving the community you want to have input into what function you should play in that arena. I think that when you do it individually, it does not have the weight and scope of when you do it collectively, via the FOP. So the FOP as a group functions in a manner that they express very concisely and very clearly what we as police officers feel

about the city, about its problems, and what portion of that ongoing sequence of events we want to play.

LEN: The vast majority of police officers in the United States come from small departments and have little influence in improving their economic or working conditions within their departments. Are they looking toward national leadership in this area, such as the Fraternal Order of Police might provide?

GARVEY: In any situation where you've got a management/labor type atmosphere, whether it's public employees or industrial, you look to see whose track record has been successful. In our situation, I know for a fact that the most lucrative settlements for police across the country have been in the Philadelphia/Delaware County area. We have represented the police departments in other states — I've been helping police departments in Florida, New Jersey, Delaware, and across the country — so I think our expertise has been accepted as one of the key factors for people in getting good settlements in their negotiations and/or arbitrations with various cities and departments.

LEN: Because of the fact that in many cases their influence has been so small, a lot of these smaller police agencies have been making moves to affiliate with national unions such as the Teamsters and a few others. What do you think it looks like in terms of that kind of movement for police unionization?

GARVEY: Well, that won't happen in Pennsylvania. Basically it comes down to the fact of "do you service your people?" It won't happen here simply because we do provide every type of service that they need, we're

you, I never heard of; I have no idea who they are. But the same is true of any organization. Every year there's a new group that pops up and says "We are now going to represent all police officers." I think the test of any organization is its length of time representing police, and the Fraternal Order of Police has been around the longest and grows in numbers every year, so we must be doing something right. The ones who come up every year with a new group or a new name don't successfully continue to represent the majority of police officers, and that's what we do.

LEN: Are you saying that if there were to be a national police union organization, then chances are that the FOP would be the one that would be most viable in that respect?

GARVEY: We are. We are now a national organization and have been, and in order to join the Fraternal Order of Police you don't join locally; you join a state lodge and you join nationally. So it's mandated that you must belong to the national Fraternal Order of Police, and that's basically what our people do, and that's who represents them in Washington and in all other areas where there's a need.

LEN: Do you go out and recruit actively? Is there a philosophy in the FOP that you would like to be the union that represents law enforcement officers on a national scale?

GARVEY: We continue to add more and more lodges each year within the Fraternal Order of Police. We now are in New Jersey, taking over what at one time were Police Benevolent Association organizations. We are

'Not that I downgrade any other type of employment, but I don't think truck drivers can articulate in an intelligent manner what police professionals feel, think or want.'

successful at it, we know what they want and we know what they feel. I think most intelligent, decisive police officers understand the concept that if you want someone to express your viewpoint, it had better be a police officer. Not that I downgrade any other type of employment, but I don't think truck drivers can articulate in an intelligent manner what police professionals feel, think or want. We have a "no-raid" agreement with the Teamsters here in Pennsylvania — they don't bother us, and we won't take truck drivers. So in that sense we're self-sufficient and Pennsylvania will remain so.

LEN: So you have a kind of Mexican standoff with the Teamsters here. What about all the other smaller unions throughout the country who do need representation and can't get it in terms of numbers the way you have it here in Pennsylvania and are looking for a union which can support them on a grand scale, in terms of providing the kinds of support they need to get pay raises and such?

GARVEY: I can understand their concern. I think they reach for what they feel is a union with clout, and I can understand that concept. However, where I differ with them is that sometimes we have a tendency to look outside our own organization for representation, when in today's situation, police officers are more able to represent themselves: they're highly educated, and they are in essence self-sufficient. So I think that sometimes they jump on the bandwagon without really reading their own internal structure.

LEN: What about a national police union? There are a couple of groups in Washington, D.C., one called the International Union of Police Associations and another known as the National Law Enforcement Officers Association, both of which claim to have very broad representation. Do you think there is a move afoot to establish a national police union?

GARVEY: They've been around a while. The first that you mentioned, the IUPA, used to be the International Conference of Police Associations, and at the present time, I'm told, they have between 30,000 and 50,000 officers. We can assume that — maybe it's true, maybe it's not. I don't know. They're friends of mine, I get along with them, I work with them when I can legislatively, but again, I only say in my domain they will never have any membership. The second one, I'll be honest with

out in California now, extending it to departments who never had any representation. Here in Pennsylvania, we probably have all segments of the law enforcement profession, so there's not much gain in new law enforcement members, but yes, we are recruiting very heavily. We're in New York now, making inroads into organizations that at one time were members of Police Benevolent Associations or the IUPA, and we'll be picking up more and more members. But I think you have to understand the concept that policemen sometimes are very fickle. The group that was unsuccessful for them this year, they change to another one the following year. The third year they may go back to the original organization. So there's a tendency for police to be very short-term goal type people, and they look for immediate success. So I think that in most cases, when they look at long-term goals and see the track record of the Fraternal Order of Police over the long period of time, it has been the most durable, successful, representative organization of any in the entire country.

LEN: How often have the Fraternal Order of Police lodges had to resort to the tactic of a police strike in order to accomplish their ends in contract negotiations?

GARVEY: I think the number of times has been miniscule, but I think in the places where it has occurred have been states where they don't have any labor laws, in that they don't really have any legislative standard by which they have a right to bargain in a fruitful, collective manner. And when you don't have anywhere to go — for instance, when the municipality says, "We're not going to deal with you at all, and we don't even want to talk to you anymore; you're going to stay at the same salary for the next year" — you then place in a situation an organization that is told that they're public safety, they're critical, they can't be replaced, we don't want them to strike, there's no labor law that protects their rights, there's no arbitration standard, and you say "Goodbye, we're not going to talk to you anymore." In essence, you place them in an untenable position where they either swallow their pride and say, "Well, so what, we lost the year," or they say, "What's our alternative? Is there any alternative?" When you say to someone that that strong a degree that you're not going to give them anything, they only have one recourse, and that's some

Next month, Thomas J. Garvey enters his second year as president of the Philadelphia Fraternal Order of Police, whose 11,000 members make it one of the largest officer unions in the nation.

A 17-year veteran of the Philadelphia force, Garvey has headed traffic units and worked for a time in plainclothes, weeding out criminals in high-crime areas of the city. Ironically, his patrol work also included a stint on the Philadelphia P.D.'s Labor Squad, which is designed to keep the peace on the picket lines during strikes.

Prior to ascending to the presidency of the Philly FOP, the 42-year-old lawman headed the 30,000-member Pennsylvania Fraternal Order of Police for four years. His labor duties brought him to both Harrisburg and Washington where he acquired skills as an effective police lobbyist. He is being touted in some circles as the next president of the National Fraternal Order of Police.

In addition to his duties in the City of Brotherly Love, Garvey serves as a labor arbitrator and negotiator in other jurisdictions.

illy's rank and file

Philadelphia Fraternal Order of Police

type of job action. A strike is, of course, the worst, but there's other types of job actions. But you're telling them, "You must do something," and it's not easy for them to sit back and say, "But we're public safety; we're critical." That's just not a position they can take.

LEN: Up until fairly recently, and excluding the Boston police strike that goes way back in history, it was almost unheard of that police went out on strike. It's becoming more and more a tactic that seems to be acceptable. What is your own philosophy on police officers going out on strike?

GARVEY: I'm totally opposed to it. I think it's probably the most final step that any law enforcement organization could ever take. There are a lot of intermediate steps that I think all states should adopt in their labor standards. I think they should have mediation, and I think they should have fact-finding. They should have every step in a series of events — here in Pennsylvania our arbitration statute has been successful, and I think it has defused a lot of situations where there may have been a police strike had there not been an alternative such as arbitration. New Jersey has just adopted an arbitration statute that I think will help them. But I think a strike simply to accomplish a goal ruins permanently a type of relationship that at one time could have been a good one. When people can honestly sit at a bargaining table and go over the issues and attempt to resolve them, they form a partnership that carries over into the service to citizens, and makes that bond a strong one between a city and its union. But when they go to loggerheads and end up in a job action or a strike, or the name-calling gets stronger and the media plays it up to a stronger confrontation, then you in essence destroy that partnership, make it an adversary system from then on, where the two people should be working to accomplish the very goals that the citizens want. They are at loggerheads and continue an ongoing fight where neither side gains and the public loses, and in some instances crime increases simply because of that position that both sides have taken.

LEN: One of the things that seems to be looming on the horizon, and as a matter of fact has already arrived in many major cities, is the fact of cutbacks in the size of police forces in various jurisdictions. Will this kind of thing develop into the loggerhead that you were referring to before, if city budgets cannot support police and they're forced to cut back or reduce by attrition. Are these the kind of problems that seem to be insoluble in terms of police unions and police management?

GARVEY: I think you're in an area for the next three or four years where the immovable object is going to meet the irresistible force. In essence, it's going to be a stymie type of situation where government has reached a sense of finances being a priority, the police officer sees it as crime being rampant, the citizens are afraid to go out at night, businesses are closing. Whether it's crime statistically proven or fear of crime, which cannot be proven but is there, a police sees it from that side and says: "We should get priority; we're public safety. We're the only thing separating this city from anarchy, and therefore we should be placed as a priority and given a fair compensation for what we do." On the other hand, the city says: "We're near to filing bankruptcy. We're really in bad shape. We've lost that industrial base of taxation, there's been a movement to the Sun Belt, so our numbers of people are down. We don't foresee great Federal funding anymore. The Commonwealth is not going to come to the city's aid anymore. We have school budgets that are destroying us."

So on one hand are the finances that are a priority of the administration, and on the other hand a large segment of the public and the police see it as public safety being a priority. Those two are at loggerheads. There's a very difficult area for either one to see the other's viewpoint, and I'm not sure there's a middle ground. That's what's happening today across the country, and as a result of that there have been layoffs across the board of police and firefighters, and very bitter followups to that have taken place.

I'm not sure. I see public safety as a priority; I really think there has to be an adjustment on the side of the city to fund the positions that are now there in the police

and fire areas. On the other hand, I do not reconcile the demands that police sometimes place on the administration for the large increases when they know in fact that the crisis is that critical. I think there can be a compromise, and it has to be done in good faith, and the leadership — which is the key element, both on the city's side and the union's side — has to be eloquent enough and have the fortitude to express in terms that are readable, understandable and acceptable, to the city and to the union's membership, why the steps that they are about to take are being taken.

LEN: You prefaced your remarks by saying something about the next two or three years. Do you expect that conditions are going to change after that?

GARVEY: After that, yes. I think it's going to level off. I think bite-the-bullet time has come in the last two years and it's going to continue for another three. Then probably the budgetary crisis as we see it in the large cities probably will have been semi-resolved. There will always be somewhat of a crisis, but I think the astronomical funded areas will have been addressed by a lot of cuts and at that point in time we can look for a leveling-off and maybe getting back to a more reasonable situation of demands and understanding of those priorities.

LEN: Why do you think there are so few blacks in leadership positions in most of the police unions that exist around the country, and similarly, why is it that in many instances black police organizations are at odds with some of the positions that PBA's and FOP organizations take?

GARVEY: To address the first part, I think that there is a situation that has arisen over a period of time where the police profession was not deemed the most appropriate for the black community for you to strive for, because you became chastised by the very people that you looked to help serve. It was a double burden: the burden to produce as a police officer and perform in a way that was equal to the task that you were called upon to do, and at the same time you were considered by many of your own peers in the black community as Uncle Tom, as someone who took a job that was really not anti-black, but not exactly pro-black. So they had a

'For anyone to think that a police officer, once he puts the uniform on, emotionally turns off his feelings, he's living in a dream world; it just doesn't happen.'

double burden when they took this job. They had an understanding before they took the job that they were going to have a hard row to hoe. Therefore you did not, in my eyes, get the percentage of people taking the test who would probably score higher, advance quicker, and probably assume leadership positions. I think they went elsewhere. Our recruitment failed. I don't think we had a successful program of affirmative action. It wasn't the best developed type of program. The problem now is, do we address the collective guilt attitude and say, "Well, it wasn't done right before"? In order for us to address that, as is happening across the country, we set quotas; Carter and the Justice Department set goals for us to attain. Will that solve it? I don't know.

I think in any profession, number one, it's a numbers game; we don't have enough taking the test and we don't have enough that pass the test. So evidently we failed in some way of getting sufficient people in numbers to take the test, and we also failed in getting people who — if explained properly, it's probably one of the most important tasks that any black could take to serve his own community, the police profession. I just don't think we made that point strongly enough, to get more qualified blacks to take the test in the beginning, which in essence would dictate that more testing processes within the promotional area would have more blacks scoring much higher, and therefore being in many more leadership positions.

There's also a tendency for the media to play up the things we disagree on, meaning the black police organizations, than the things we agree on, and that is in the area which we do mostly, the labor area of working



conditions, salaries, etc. I work hand in glove with them on a lot of areas, but again, sometimes we key in on those things which cause the most consternation and certainly are the most contradictory between the large union — the FOP — and the black police organization that attempt to make us look like we are going against each other. We're not; we see eye-to-eye on a lot of things. I may totally disagree on some issues, but I think we agree on more than we disagree on.

LEN: Given the fact that the FOP and the PBA's generally defend officers who have been involved either in shootings or brutality charges when the victims have been black, to what extent do you think this affects black officer/union relations? It appears that blacks in police work are taking a very hard look at that kind of activity among police officers.

GARVEY: There's two things you have to look at. Number one is that 80 percent of the crime in an urban area is black — black on black — and it happens in the black community, so they certainly have a concern or should certainly at least address it in a viewpoint that they're being brutalized; they're being victimized. So they should strike back, and how do they strike back? Through the police force. If the police force performs in a professional manner and the community says "Fine, we thank you, you're doing a good job," then there would be no issue to raise. That's not going to happen; it's never

going to happen, because a police presence has a negative effect. The police presence is never going to be positive.

LEN: Is this in any community?

GARVEY: Any community. When I have the right to stop you when you're walking, stop your car for any violation I think is wrong, when I am the visible arm of government and I'm the only one there after 5 P.M., when the potholes aren't filled, the abandoned cars are not towed, when a house is not boarded up, when a fire hydrant's not turned off, when the light is not replaced on a street lamp, the person they call and give the information to and ask for that to be resolved is a police officer. When the police officer forwards it and the government of the city doesn't fulfill that request, they don't say sanitation failed to do it; they say "I gave it to that cop and I let he threw it out, or I let he didn't do this or do that." So every failure of government falls on the shoulders of the street cop. His presence from day one is negative, and it's also very negative in a community where unemployment is high, because they see him every day and they know he's being paid a good salary. Where the conditions are poor as far as living conditions go, where the crime is known to be high and when they don't see it resolved in any way, they feel it's because you're laying back or you're not attacking it strongly enough. But when you do come on strong, and they visually see you do something to them — it's usually the end of a situation, after a chase or after whatever takes place — they then feel that you have brutalized a member of their community, not even knowing the

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'When they go to loggerheads and end up in a job action or a strike, then you in essence destroy the partnership, make it an adversary system from then on. They continue an ongoing fight where neither side gains and the public loses.'

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charges that may be placed against the individual, not even knowing what transpired prior to the actual confrontation. But their frustration boils over and they see again not just you, but they see the failure of government to perform what it promised on Election Day or any other day. That's the negative aspect of what police work does in a community that is high crime; that's how some segments of the black community see the officer.

LEN: In connection with the second part of the question, relative to brutality charges and shootings of blacks by white — or black — police officers, are there any criteria you use to screen those things before you decide to represent them in court with attorneys?

GARVEY: First of all, I don't like to play the statistical game. Certain community leaders do, certain false prophets do, and certain segments of the media do. In my eyes, and I think it can be proven statistically, the number of shootings by police, in this department or any other department, is miniscule. They are not of a degree that would mandate a complete uprising of the community, the politicians, everything. When you're dealing with a crime rate which in this city went up 29 percent, when you're dealing with a community where, as I said earlier, people are scared to death to go out of their houses, when we've increased to 20 million incidents a year that we handle in service in this city, the number of shootings that we are involved with is miniscule. But they're portrayed as being maximized, and when that happens you then stir emotions, whether it's in the City Council, in the halls of Harrisburg, in the community itself. Emotions are stirred, and therefore you now have

he did. Until some burden of proof is placed against him, then I think we as the union have the right to represent him and should, and whether he's black or white won't be the judgment in my administration. It'll simply be that he has a right, as any citizen has, to be represented by counsel, and that's what we'll give him.

LEN: There's been a considerable increase in the number of police officers shot and killed in the line of duty in the recent past. In Philadelphia last year, three officers were killed and other major cities had similar experiences. In one major city near here, more than 15 police officers have been shot already this year, and several killed during the first month of the year, and the leader of the police union there told his officers not to take any chances, in effect stating, "Shoot first and ask questions later." How would you characterize such guidance by the head of a police union, and do you feel that it's the prerogative of the police union head to define or interpret firearms policy for his department?

GARVEY: First of all, without hearing it directly, that's not the quote I received; he did not say, "Shoot first and ask questions later." What he said was when you are in a situation and you honestly believe that your life may be in danger, then you be ready to fire, and if you feel the individual has committed a crime or may have a weapon, be ready to fire. Knowing the number of shootings he had and knowing his concern — and I'm certainly sympathetic to the problems in that city — all we're basically saying is "Don't give the edge; be ready to fire at any given time." And that means if you have your weapon out, then have it out. I agree in that sense that in

they tell you to wear a badge because they want to know you have the right to use the sand and the water. So they can mandate a badge for you to wear, but can't protect you when you want to wear something yourself. That analogy just kills me. We have succumbed today; we have become masochistic and have refused to fight back. So when someone takes a stand that says, "Dammit, if I'm going to get shot, or my people are getting shot, then I'm going to tell my people to be ready to defend themselves, within the law." But at least be in a position where you're going to keep the edge. The phrase always was, "I'd rather be on trial in front of 12 of my peers than buried by six of them," and it still carries today. I am saying to my people, and I'm sure he said to his, that we're getting beat. You know, I've got 3,000 police officers who are assaulted each year, and many of them are hospitalized. Somebody's beating the hell out of us, and we'd better do something about it. And if you see the citizens in the hospitals being sent in there — we're losing the battle. All the community activists in the world that say we need stronger gun control regulations on our police, or we need more complaint procedures against the police — we're not the ones that are doing it to them. Even the number of people we have that overreact are aggressive; usually the police officer that uses excessive force is a hero cop, with maybe 50 commendations for running into burning buildings. But that one instance where he overreacts and maybe uses excessive force, the judgment is tunneled. In one instance he was wrong, the community's aroused. But what was his track record prior to that? How many people did he save? How many commendations did he win? We never make that judgment. We use an instant judgment, and that's where our system's wrong. In our profession, instant judgment can't be made; you have to take the entire criteria of what he was, how he functioned, and did he burn out. One of the major problems we have in this department and every department today is that we don't know psychologically, when a police officer comes into this job today, whether he's got the courage to go in and help an officer, or whether he's going to go in and use excessive force. There is not a good psychological evaluation to weed out the bad police officer today anywhere in this country, and until we develop some system so that we can stress-test an officer to the best degree so that we know what he's going to do in the future, and then give him an ongoing program to reduce those stress factors, there are going to be overreactive, aggressive police officers that are going to use force that may be found to be excessive. But even that is a small percentage of the overall function of the department, and we do not get enough credit or pats on the back from anybody for all the things we do right. And dammit, we do a hell of a lot of things right.

'We do not get enough credit or pats on the back from anybody for all the things we do right. And dammit, we do a hell of a lot of things right.'

an issue that must be addressed. And how do you address it?

You have to also understand that police officers mirror the very society they're part of. A black police officer living in a black community feels, sees and acts according to what his environment is, and when he puts on a police uniform he doesn't throw a switch and turn that off. He feels very strongly about his community and what their problems are. So there is a carry-over within the department, and that carry-over can be expressed on the union floor as to what each side feels about a certain issue. But that same expression is really only a mirror of what may take place in council, in government, in a community or anywhere else. For anyone to think that a police officer, once he puts the uniform on, emotionally turns off his feelings, he's living in a dream world; it just doesn't happen. Do they function? Yes. Do they solve the crime? Yes. Do they go charging into holdups? Yes. But emotionally they still feel very strongly about their own environment and what transpires there. Therefore black police officers, when there is an action taken by a white officer on a black youth or whatever, feel very strongly about what took place — not only as police officers, but as a member of a community who feels that that issue needs addressing, and express themselves in that manner. So they have a dual role in some instances where they feel emotionally involved because their community is affected by it. The police officer must recognize that we are innocent as any citizen until proven guilty, and emotionally sometimes that's not easy to do when you're part of a community that is up in arms about what transpired.

LEN: So in that sense you feel comfortable about representing a police officer who shoots somebody on duty and in the line of duty?

GARVEY: I think if we're going to live with a system of government where the adage is "He's innocent until proven guilty," and the burden of proof rests on us, we should deserve no less. An officer has to be presumed to be innocent until he's proven guilty. We have denied legal aid here on numerous instances to officers where the incidents are so blatant that we refused to give them legal aid, and they had a fair hearing within our structure here internally. But I think the edge must be given to the officer, at least in the initial circumstances of his hearing, that the burden of proof rests with the city and the district attorney to prove that what he was charged with was in fact a situation where he was wrong in what

his city at this point in time it's important that the initiative come from the people on the right side, that they say "Be ready."

LEN: The right side meaning the police?

GARVEY: No, meaning the community. You know, we've dealt so strongly with individual rights that we've forgotten the collective rights. We've actually abridged the collective rights of the individual to do what he wants. When I've got to tell people in this city, "Don't wear chains that you want to wear because you feel they compliment you, because they might be stolen," I am in essence surrendering. I am telling people, "Don't do what you want to do, because that guy out there is going to steal it from you." You get on the beachfronts and

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Some lighter reading for the criminal justice professional:

Mobster's biography features a tour of the Mafia

The Last Mafioso: The Treacherous World of Jimmy Fratianno. By Ovid Demaris. New York: Times Books. 1981. 463 pp.

When I review a book that is non-fiction, of the oral biography-research type, I make a serious attempt to verify some of the information. In *The Last Mafioso* by Ovid Demaris, Jimmy (The Weasel) Fratianno describes two of his executions: "The car came to a stop... Trombino was driving... it happened so quickly that not a single word was spoken. Jimmy slipped the gun out of his waistband, shoved it against Broncato's head and pulled the trigger twice... the head snapping forward the way heads had snapped forward when Jimmy had struck them with a baseball bat on the picket lines... the bloody head flopping lifelessly against a shoulder... turning his gun, Jimmy emptied it into Trombino, whose body jerked with the impact of each slug like a fish on the end of a short line."

In *Meyer Lansky*, by Dennis Eisenberg, Uri Dan and Eli Landau (Paddington Press, 1979), we are informed that two mobsters from Kansas City, Tony Broncato and Tony Trombino "carried out the only successful armed robbery of a casino in the history of Las Vegas... The two gangsters went into hiding, but were found and killed in Los Angeles by the gunman Jimmy Fratianno."

Jimmy tells us that he "formed a life-long friendship with Louis 'Babe' Triscaro, who later became an important Teamster official and the liaison between Jimmy Hoffa and the Cleveland Mafia." This is corroborated in *The Hoffa Wars*

by Dan E. Modea (Paddington Press 1978), when Modea identifies Triscaro as a Teamsters Union official. In *The Teamsters* by Steven Brill (Simon and Schuster 1978), in the chapter on "Jackie Presser," we are told that Teamsters Union official "Louis M. 'Babe' Triscaro... [is] 'liaison' with the Cleveland underworld." Is the information important? President Reagan's advisers should have read Steven Brill's book. Jackie Presser Jr., who followed his father's footsteps in the Teamsters Union, was a member of the President's transition team and was rumored to be the country's new Secretary of Labor, until his tie-in with organized crime came to light.

The CIA-Mafia connection to execute Fidel Castro in Operation Mongoose was a reality and another failure by the "gang that couldn't shoot straight" (apologies to Jimmy Breslin for his fine book of the same name). Fratianno describes Robert A. Maheu, a former FBI agent and private investigator for Howard Hughes and the CIA, and Maheu's tie-in with the Mafia and mobsters Sam Trafficante and Johnny Roselli to murder Castro. Corroborated in *The Don: The Life and Death of Sam Giancana* by William Brashler (Harper and Row, 1977), Brashler describes a scene at the Fountainsbleau Hotel in early 1961 with Maheu, Roselli and Trafficante. At the hotel, according to Roselli, Maheu "opened his briefcase and dumped a whole lot of money on his lap... 'Operation Mongoose' was paid for and went the way of The Bay of Pigs operation." Another incident involves Israel's Menachem Begin, the gun-running of Mickey Cohen, and the mysterious loss

of the guns being delivered to Israel to fight the British. As Cohen told it to Fratianno, "Jimmy, the boat carrying the guns and ammunition for the Jews has sunk." Jimmy replied, "Mickey, congratulations. You've just pulled off the biggest, cleanest fu---g score I have ever seen."

Fratianno was born in Naples in November 1913. He came to the United States with his mother in 1914, when he was four months old, to live with his father who had preceded them, much like many immigrants before them. The first murder he was to witness happened when he was 6 years old. He tells us that "he saw three men mowed down by machine-gun fire in front of Tony Milano's speak-easy and his reaction had been an awed, 'Holy Mother of Jesus.' The scene must have impressed him (as Freud might say, the incidents of our young years are what form our adult life): Fratianno went on to personally participate in eleven executions. But of course, Jimmy the Weasel tells us he only kills bad guys.

Jimmy left Cleveland for Hollywood, where he blended into the world of movie starlets and movie moguls. The world of make-believe is real to him and

Jimmy Fratianno becomes a real-life actor. His stories of movieland belong in a Grade B movie, and they include a "new girl" that was "none other than Jack Kennedy's mistress... The broad used to go with Sinatra and he got her to Kennedy... when Sam [Giancana] was in Miami, Frankie introduced her to him. So this broad goes with both of them... the next President of the United States and Giancana."

The reader is treated to a West Coast tour of the Mafia. Jimmy the Weasel shows and tells on such celebrities as Stella Stevens, Chico and Zeppo Marx, George Raft, Phyllis McGuire of the McGuire Sisters, Johnny Desmond, Zsa Zsa Cabor, and Jimmy Durante. The list is endless, and the Weasel is particularly fond of constantly singling out Frank Sinatra. Most of Fratianno's information is hearsay that borders on gossip.

The Trappist Monks are even singled out for their role in one of Fratianno's searches for a bad guy. After a few days in the monastery, he said, "they work my ass off in the field all day and nearly starve me... a lot of millionaires go there that are just sick of life... there's

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Account of a brutality trial shows complexity of police life

The Trial of Patrolman Thomas Shea by Thomas Hauser. New York: Viking Press, 1980.

I live in Manhattan where life can be a substantial pageant (at its best, at least). Manhattan is my parish, and like so many of my fellow parishioners, I have no great awareness of the other four boroughs of New York. Sometimes it takes a calamity, a fire, a snowfall, or a hostage situation to shake me awake to their existence.

This book, *The Trial of Thomas Shea*, is a real awakener. Aside from its value as a good read, a courtroom melodrama with all the stops pulled out and considerable suspense involved, it conveys in excellent fashion the grim, grey assignments the police must take on on the outskirts of the city — the 103rd Precinct in Queens, to be specific. (Incidentally, it has been one of the most popular books in the New York Police Academy Library over the past six months. Recruits have been lining up to read it, and it is good that they want so much to borrow it. By reading it they will begin to realize the complex texture of police life here.)

The time is April 28, 1973, and the place is South Jamaica, New York, the ghetto area of Queens. "A disproportionate number of its 100,000 residents are on welfare, and its population is more than 90 percent Black and Hispanic." The 103rd Precinct, lying in the heart of

South Queens, ranks third in lawlessness among the 82 precincts in town.

On April 28, Police Officer Thomas Shea, a 12-year veteran of the service with a record of 200 arrests under his belt, and his partner, Police Officer Walter Scott were driving around on a late night anti-crime shift in Queens, both men in civilian clothes. For over a month they had been instructed to concentrate on stolen cars.

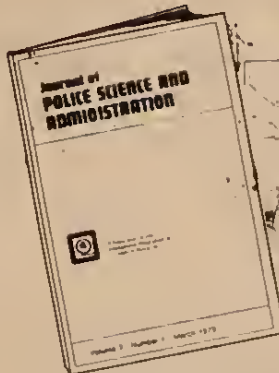
Shea liked working at night. Not a great general favorite in the precinct — a lone wolf in a certain sense — he nevertheless had a certain dogged proficiency and appetite for the job. "If told to go out and capture six lions in the street, Shea would try. He might bring back only five, but he would go after all six."

Several times in the past he had gotten into trouble. He had shot and wounded three men in the line of duty. Fully exonerated, he had gone back to work. The Department apparently considered him with care and had still judged him serviceable.

During their patrol in the early hours of April 28, Shea and Scott drove down New York Boulevard in Queens, where they saw two men who seemed to fit the description of two perpetrators, one in a white cap, who had stolen a taxi earlier in the evening. These two black men, Clif

Continued on Page 16

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Victim-witness programs feel dollar pinch

Continued from Page 7

lacking transportation, arrange social services for those who needed it, and contact employers who would not pay their employee for court days. The paralegals also sent out the court date notices. Unfortunately, however, the LEAA funding for this program ended and it was discontinued.

The Victim-Witness Advocacy Project

is the program currently operated by the Chicago Department of Human Resources out of central, westside, northside and southside offices. It is funded by LEAA and is staffed by both paid and volunteer workers. This program gets its referrals from the Chicago Police Department, but does not deal with all cases, only those where the victim has suffered emotional, physical or property loss as

a result of a violent person-to-person crime such as homicide, rape, robbery or aggravated battery. The cases are followed all the way through the system to their final disposition. This program offers a multitude of services including counseling, notification of relatives, friends and employers, assistance in obtaining financial aid, legal aid, food, shelter, and child care, as well as assistance in filing claims under the Illinois Crime Victims Compensation Act.

Another Chicago program is the Victim-Witness Assistance Project, which is funded and run by the Junior League of Chicago, a women's organization dedicated to volunteerism. Staffed by a paid project director and approximately 25 volunteers, the program sends out court date notices to all witnesses who have to appear, as well as helping them in getting to court and in receiving compensation. In addition to these functions, the workers also assist any other civilians, including defendants, in the court building, which also includes a misdemeanor courtroom.

The city of Evanston also has a victim-witness program. In this case it is operated by the police department and is known as the Victim-Witness Advocacy Unit. Advocates are available on a 24-hour basis to be called in by a police officer at a crime scene if he believes the

victim is in need of immediate emotional support or emergency service like food, shelter or clothing. The unit routinely contacts all victims of major crimes to explain its services and then either provides these services or gives a referral to an agency that will. In addition, the unit helps witnesses move through the criminal justice system by giving them information, dealing with employers, providing transportation and helping victims to receive compensation. Members of the unit will also speak before community groups to provide information about the program and the criminal justice system in general.

Victim-witness programs are relatively new, but their popularity is on the upswing. In order for more victim-witness programs to come into existence, however, it is going to take money. LEAA was the impetus for the start of these programs and will have to continue to support them, if it can. Since former President Carter directed LEAA to switch its priorities away from the police, victim-witness programs would be a good place to put some of the money. The criminal justice system deals with people on an impersonal level, so programs designed to alleviate the impersonal nature of the system can only help to improve the feelings and relationships of the public towards the system as a whole.

Book review: one mobster's account of life in the Mafia

Continued from Page 11

got to be something to it...they pray and work, no milk, no wine, no women, no nothing, just pray and work." The bad guy he was looking for was not there, and was killed somewhere else, but not by Jimmy. He talks of monsignors and other clergy and the Knights of Malta, which he tried to get Frank Sinatra into, as though he was in their inner circle. He is not. In reality Fratianno is in no one's inner circle. He never was a Don or Godfather. Although he creates that image. Simply put, Jimmy the Weasel is a real-life bad guy. His is a killer, a murderer many times over. He is an extortionist, a manipulator of morals and people's vices. At best he is a soldier in a crime family. A Cagney-style bad guy he is not.

Still, he does us a service in describing the rotten, brutal world of the Mafia underworld of yesterday and today from the time they pricked his finger with a pin: "This drop of blood symbolized your birth into our family. We're one until death. ... Jimmy, you're a made guy, an Amico Nostra, a Soldato in our famiglia..." That's pretty good recall from a "made guy" who does not understand Italian. He brings us today's world

when he has dinner in the Rainbow Room on the 65th floor of Rockefeller Plaza in New York with "old friends from the Colombo and other families." He also has a "sitdown" in a Brooklyn restaurant with Paul Castellano, the boss of the Gambino family. His eating spree continues with dinner at 21 with Funzi Tieri, who was recently sentenced to ten years in jail as the "Boss of Bosses."

Ovid Demaris has written a very interesting book with a fascinating subject. Demaris has reconstructed (his statement) much of the dialogue, although in my opinion, Tom Renner, a reporter for *Newsday*, has written books (*My Life in the Mafia* and *Vinnie Teresa's Mafia*) that are as good as Demaris's, but not as exploitive or "reconstructed."

As a professor of criminal justice studies who teaches organized crime, and as a law enforcement officer who observed, investigated and reported on organized crime for almost 30 years, I can without hesitation highly recommend the book to teachers, students and prosecutors. From a dubious, dynamic duo, Jimmy the Weasel and Ovid Demaris, we have learned much.

—Hugh J.B. Cassidy
Professor of Criminal Justice Studies
Adelphi University, New York

About the authors



Sloan T. Letman is an assistant professor in the Department of Criminal Justice at Loyola University of Chicago. He received his B.A. in Sociology and M.A. in Urban Studies from Loyola and the J.D. degree from the DePaul University College of Law.



Herbert Scott is an associate professor in the Department of Corrections at Chicago State University. He received his B.A. and M.A. from the University of Illinois and the Ph.D. degree from California Western University. Dr. Scott was formerly the warden of the Joliet Correctional Facility.

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Supreme Court Briefs...

Continued from Page 5

truck, this time heading east passed the checkpoint.

After having made sure that it was the same vehicle, the officers intercepted the truck. The officers informed the driver and a passenger that they were conducting an immigration check. At the time of the stop, the passenger was wearing shoes with soles that matched the distinctive "chevron" footprints found in the 30 miles of desert tracks.

Six illegal aliens were discovered in the camper part of the truck, whereupon the officers arrested the driver and the "chevron" passenger.

Both the driver and the passenger were charged with six counts of transporting illegal aliens in violation of 8 U.S.C. § 1324(a). A motion to suppress evidence obtained as the result of the 6:12 A.M. stop was denied, and the defendants were convicted and sentenced to concurrent prison terms of five years on each of six counts.

A divided panel of the Court of Appeals for the ninth Circuit reversed the conviction, holding that under the guidelines set forth in the Supreme Court decision *United States v. Brignoni-Ponce*, 422 U.S. 873 (1975), the officers did not

have a sufficient basis to justify the stop. Quoting from the *Brignoni-Ponce* decision, the appellate court noted that the case established that "officers on roving patrol may stop vehicles only if they are aware of specific articulable facts, together with rational warrant suspicion that the vehicles contain aliens who may be illegal in the country" (595 F. 2d at 507).

In distinguishing the wording of the quoted decision, the Chief Justice maintained that in essence the test to be applied was one of the totality of the circumstances, which justified a conclusion on the facts in direct opposition to that reached by the appellate court. In the Supreme Court's opinion, which had the effect of reversing the ruling of the Court of Appeals, the Chief justice explained that in applying the "whole picture test" it is necessary to review all the circumstances and also to show that the whole picture yielded a "particularized suspicion" that the particular individual being stopped is engaged in wrongdoing. Under the facts set forth in the present case, the Court concluded that the test had been satisfied. (*United States v. Cortez*, No. 79-404, decision announced January 21, 1981.)

How to stop prescription fraud: Smile and watch the birdie

By WILLIAM L. RIEG

Fraudulent drug prescriptions are a growing and expensive problem within our society. Despite the many hours law enforcement personnel spend reporting, investigating and testifying in court, there has been little success in solving the problem. The Mt. Lebanon, Pa., Police Department's crime prevention unit has successfully completed a one-year innovative program that could eliminate the problem in other communities.

Mt. Lebanon is a residential suburb of 38,000 people located just south of Pittsburgh. The community, which has a 44-member police department, has no industry, and several shopping districts. Within these shopping districts are eight drug stores or pharmacies.

In January 1979, an idea was generated by Mt. Lebanon's crime prevention officer with the help of Lawrence Marculaitis, a local pharmacist, who had asked the police department for protection in the event of an incident of robbery, shoplifting, or fraudulent prescriptions.

A solution was jointly developed that would help the officer in the field, the pharmacist who is challenged to make daily value judgments, the Drug Enforcement Administration, and the community in general to stop this illegal flow of drugs.

A survey was mailed to 13 communities surrounding Mt. Lebanon, asking the police departments for a records check on reported incidents of fraudulent prescriptions and asking the drug stores five questions about their experiences with forged prescriptions.

The police departments representing these 40 stores were asked for their town's population and the number of fraudulent prescription reports and prosecutions they acted upon. The average answer was one per year. Of the 40 drug stores surveyed, meanwhile, 20 responded, with the typical respondent indicating a desire for some assistance if it did not entail bureaucratic paperwork or extended court time. Respondents indicated an average of one fraudulent prescription per store day, or approximately 360 per year per store. Although the pharmacists rejected obviously fake prescriptions, many slipped through, and the pharmacists felt the problem had been dropped in their laps.

Armed with the facts from the questionnaires, Mt. Lebanon police contacted several companies that sell document transaction cameras generally associated with check-cashing control, of the type that photograph the subject and the document at the same time. Little or no photography experience is needed by the operator, and lighting and focus are no problem. The operator simply pushes a button as the subject stands still in front of the lens.

The mechanics of the Model Transaction Photo Recorder, TPR III, manufactured by Filmdex Inc., Centerville, Virginia 22020, seemed best suited to solving this problem. This company maintains a seven-year film library with expert witness court appearance at no cost if you purchase their film. Each roll of film has 1,500 frames, and portions can be extracted and mailed in for development without losing the entire roll.

The District Attorney's Office of Allegheny County, Pennsylvania, researched the implied application of the cameras and stated that the use of the cameras is not a violation of constitutional rights and that any evidence obtained by the cameras would be used in court. It was

suggested, however, that a permanent sign be attached to the camera in view of customers, stating, "In cooperation with the Mt. Lebanon Police Department, the pharmacist may request that your photograph be taken before a drug prescription is filled."



The Filmdex Photo Recorder

This statement and the suspect's knowledge that he or she is posing for a photograph constitute "voluntary, knowing, and freely given consent," which it is reasonable to believe a person with a fraudulent prescription would not give to having his or her picture taken.

The eight pharmacy owners of our community were asked for input on the idea and were asked if they would use the cameras. Five of the eight indicated immediate interest, two only limited interest, and one stated that he had no fraudulent prescription problem. Department officials decided to purchase five cameras, using the remaining three stores as a control group for a comparative statistical check in the first year.

The camera's ownership, maintenance, and film supply was to be the responsibility of the police department, with installation supervised by the supplier, Filmdex Inc. Specifications were drawn, advertisements were placed in the newspaper, and finally bids were received.

The program was operational on September 22, 1979. A numbering machine was attached to each camera so that the photo would indicate store identity, prescription number and date to assist in searching the negative library for investigation and court presentation. Pharmacists were trained in the camera's use. A monthly check was made of the camera for mechanical problems, and the pharmacist were regularly surveyed as to how the camera has affected the problem of fraudulent prescriptions.

It is interesting to note that several customers commended the pharmacists for attempting to solve this drug problem. The pharmacist felt that "some shady-looking characters" who might have offered a prescription had the camera not been there simply made purchases and left. However, this is speculation and a nonmeasurable statistic of what may have been prevented.

The entire success of the idea depends on the action of the pharmacist. If he uses, it, it works; if he doesn't then prevent.

Continued on Page 16



BURDEN'S BEAT

By ORDWAY P. BURDEN

Americans for Effective Law Enforcement serves as policing's ACLU

Persons whose rights are being trampled on by a police agency or another arm of the government can look to the American Civil Liberties Union for assistance. For over 60 years, the ACLU has compiled a distinguished record of defending constitutional rights, often taking unpopular positions and often lining up opposite the police.

In fact, ACLU spells a dirty word for some police officials because of its stout defense of the rights of some admittedly bad guys and its frequent successes in painting the police as the villain of the piece. Rarely is the ACLU found in a policeman's corner.

But there is a growing realization that policemen have civil rights, too, and today they have a counterpart to the ACLU on their side. It's called Americans for Effective Law Enforcement, and it is earning the title of "the policeman's ACLU."

Americans for Effective Law Enforcement goes to bat for police officers who have been unjustly accused of misconduct or violating someone's civil rights. The AELE is not, however, a "policeman, right or wrong" advocate. The organization carefully screens each case in which it intervenes as a friend of the court to make sure that the policeman's conduct was necessary and professional. To date the AELE is battling 600. Joining with such groups as the International Association of Chiefs of Police and the National District Attorneys Association, the AELE has been on the winning side in 22 of 34 cases involving police conduct that were heard by the U.S. Supreme Court and in 17 of 29 cases in lower courts.

Since its first success in 1968 (when the Supreme Court approved stop-and-frisk after considering an AELE brief filed by James B. Thompson, now the Governor of Illinois), the AELE has intervened in more than 60 cases. It also offers other services besides friend-of-the-court briefs. For one thing, it provides free telephone consultations for police administrators who seek legal advice when an officer is accused of misconduct or civil rights violations. "We do a lot of this hot-line work for police administrators who need prompt advice," said a spokesman.

Each year, the AELE holds a series of three-day workshops for police administrators and legal advisors, focusing on professional responsibility, the protection of civil rights, and civil and criminal liabilities when police powers are misused. Three workshops were held in 1980. This year workshops are scheduled in New Orleans from February 23-25, in San Francisco from May 4-6, and in Boston next fall. Each workshop attracts about 100 police chiefs, sheriffs, and city and county attorneys.

For grassroots training, the AELE has an 80-minute audiovisual training package for sale or rent to police agencies, covering all facets of police liability. Some departments use it in annual in-service training programs; others divide it up and use it in roll-call sessions. The slide show is also used by campus security agencies and even chain store security people because, the spokesman said, "anybody dealing with the public could be held liable in a suit."

AELE publishes four periodicals summarizing recent court cases relating to various aspects of law enforcement and the criminal justice system. The *Liability Reporter* and the *Jail & Prison Law Bulletin* are issued monthly; *Police Plaintiff* and the *Legal Defense Manual* are quarterly. For information about these and other AELE services, police administrators may write: Americans for Effective Law Enforcement, 501 Grandview Drive #209, South San Francisco, CA 94080.

AELE was founded in 1966 by a small group of Chicago lawyers and law professors headed by Fred E. Inbau, John Henry Wigmore Professor of Law at Northwestern University. The corporation is led by a board of directors with the guidance of an advisory board and a board of consultants made up of prominent law enforcement officials, educators and others who are knowledgeable in criminal justice.

It has a membership of about 3,000 persons and companies who contribute funds for the AELE's work, but the members have no active role. Other income comes from grants from foundations, but not from government or tax-supported groups.

The AELE appears to have its work cut out for it in the decade ahead. According to its estimates, 26,000 suits were filed against law enforcement personnel in 1980, more than ten times the number in 1967 when AELE began to compile statistics. Of the 26,000 cases last year, 21,000 charged false arrest, brutality, wrongful death and other intentional misconduct; in the other 5,000 cases, motor vehicle negligence was alleged. If past trends hold true, less than four percent of the suits will end in a verdict for the plaintiff. But the suits are more than nuisances. As the AELE points out: "The threat of damage awards and injunctive relief can... undermine police effectiveness. An estimated one million hours are annually consumed investigating civil suits against police, and an equal or greater amount of time is spent by attorneys in defending these cases."

Americans for Effective Law Enforcement is doing its bit to help police fight the rising tide of litigation. The AELE is a long way from the public recognition and clout of the American Civil Liberties Union, but the "policeman's ACLU" is gaining.

(Ordway P. Burden welcomes correspondence to his office at 651 Colonial Blvd., Westwood P.O., Washington Twp., NJ 07675.)

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JOBS

Police Officer. The City of Phoenix, Arizona (population 770,000 plus) is currently accepting applications for the position of police recruit. Applicants must be between the ages of 20 and 35, possess a high school diploma or GED, have height and weight proportional to size, and vision of at least 20/100, correctable to 20/20 with no color vision problems. Candidates must pass written and physical agility exams, polygraph, public safety physical and background investigation. Salary: \$1,117/month while in Academy; \$1,274-\$1,920 upon completion. Benefits include 100% education reimbursement for job-related classes. Closing date: open testing every 6-8 weeks.

Contact: Phoenix Police Department, 620 West Washington, Room 165, Phoenix, AZ 85003, Att: Sgt. C.T. Woodward.

Police Officers. The Public Safety Department of Dade County, Florida has over 300 entry-level positions available.

Applicants must have a high school diploma, possess a valid U.S. drivers license and be United States citizens. A written examination will evaluate general aptitude and related knowledge applicable to successful performance in the Police Academy. An oral interview will evaluate personal appearance, communication skills, emotional stability, maturity and suitability for the post. Physical and psychological examinations as well as a background investigation will be conducted.

Successful candidates will receive an annual salary of \$16,926, two to four vacation weeks, 12 paid holidays, group medical insurance, and a uniform allowance. The county's pension system permits retirement after 25 years of service.

For further information, contact: Public Safety Department, Office of Human Resources, 1320 N.W. 14th Street, Miami, FL 33125. Telephone: (305) 547-4951.

Deputy Sheriff Trainee Positions, Los Angeles County, California. There are immediate openings in the largest sheriff's department in the world. More than 5,200 sworn personnel serve an area of approximately 4,000 square miles and 1,900,000 in population through nineteen stations. Salary: \$18,211 to \$23,322 plus many departmental benefits. Deputy sheriffs with departmental experience may earn up to \$27,547 annually.

Applicants must have a minimum of a high school diploma or equivalent, be a U.S. citizen between 21-34 years of age and have weight proportionate to height.

Send inquiries to: Los Angeles County Sheriff's Department Recruitment Unit, Room 460, 211 West Temple Street, Los Angeles, California 90012. Phone: (213) 974-LASD. Filing for the position is open and continuous.

Assistant Professor. The University of Wisconsin-Oshkosh has a tenure-track opening in its Political Science Department for an individual to teach criminal justice, public administration and public policy courses on the graduate and undergraduate levels.

A Ph.D. is required with one area of major interest in criminal justice. The ability to teach a survey course on criminal investigation is desirable, as are quantitative skills and an interest in effective teaching.

The department offers a bachelor's degree in political science, administers a B.S. program in criminal justice and contributes public administration courses to an ex-

panding master's program in public service administration. Salary will be competitive, with a September 8 starting date.

Address inquiries, with vita and references, to: Dr. Willard Smith, Chairperson, Political Science Department, University of Wisconsin/Oshkosh, Oshkosh, WI 54901. Filing deadline is April 13, 1981.

Faculty Post. The Department of Political Science/Criminal Justice at Appalachian State University is anticipating a one-year leave replacement beginning August 17. Teaching responsibilities will include graduate and undergraduate courses in public administration.

Qualifications include a Ph.D. in political science with public administration concentration. Rank and salary will be negotiable based on qualifications and experience.

Send a letter of application, vita, transcripts and three letters of recommendation to: Dr. Richter H. Moore Jr., Chairperson, Department of Political Science/Criminal Justice, Appalachian State University, Boone, NC 28608. Deadline for receipt of applications is April 20, 1981.

Postal Inspectors. The U.S. Postal Service is recruiting continuously for the position of postal inspector. The Inspection Service of the U.S. Postal Service is a Federal law enforcement agency with duties divided into three broad categories: criminal investigations, audit investigations, and security administration. The nature of an inspector's work requires much travel and frequent absences from home; and the inspector must be willing to accept assignments wherever needed. Initial assignments will not be to the immediate area of the office from which the Inspector is appointed.

To be eligible for consideration an applicant must possess at least a bachelor's degree. Degrees in accounting, law and the computer sciences, which are directly related to the work of postal inspectors, make the applicant more competitive for available positions than other candidates. Work experience in these areas is particularly desirable. Applicants must be between the ages of 21 and 34, possess a valid driver's license, be in good physical condition (including vision and hearing) and must possess emotional and mental stability. A thorough background investigation will be conducted before appointment. Salary range: \$20,207 to start; \$23,597 at the end of one year's satisfactory performance (figures do not include cost of living allowances).

Application forms can be obtained from any inspector in charge. Local post offices can furnish the address.



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Message from the editor

Continued from Page 1
forcement News" in this context, but with no further elaboration. Hence, a name-recognition problem of major dimensions.

Our message to you, our faithful readership, is simple: don't be misled by cheap imitations. Don't fall prey to a case of mistaken identity. We have endeavored to provide a needed service to the criminal justice community for the past six years, and would not permit ourselves to be party to an advertising solicitation scam or other dubious business or editorial practice which would betray the loyalty you have shown us as subscribers.

LEN's legal advisers are examining the matter carefully with an eye toward possible redress in the courts, and we certainly hope to resolve this unfortunate situation with all due dispatch. In the meantime, however, we ask your patience and understanding, and we trust that we can look forward to your continued support. You may certainly be assured of our continuing service to you.

Peter C. Dodenhoff
Editor
Law Enforcement News

UPCOMING EVENTS

APRIL

- 1-3. Paper Competition/Conference. To be held in Columbia, South Carolina, at the Carolina Townhouse Inn. Presented by the College of Criminal Justice, The University of South Carolina. Fee: \$35. For further information, contact: University of South Carolina, Columbia, SC 29208. Telephone: (803) 777-7315.
- 5-10. Forensic Photography Course. Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$490. For more details, contact: Law Enforcement Institute, University of Maryland, University College, Conferences and Institutes Program, University Blvd. and Adelphi Road, College Park, MD 20742. Telephone: (301) 454-5237.
- 6-9. Crowds, Disorders and Demonstration Program. Presented by Richard W. Kobetz and Associates. For further information, contact: Richard W. Kobetz and Associates, North Mountain Pines Training Center, Route Two, Box 342, Winchester, VA 22601.
- 6-10. Homicide and Major Crime Scene Investigation Seminar. Presented by the Traffic Institute. Fee: \$340. For more information, contact: The Traffic Institute, 555 Clark Street, Evanston, IL 50204.
- 6-10. Managing Corrections Personnel Program. Presented by the Pennsylvania State University. For more details, contact: Edwin Donovan, S-159 Henderson Human Development Building, University Park, PA 16802. Telephone: (814) 863-0277.
- 6-10. Police Traffic Radar Instructor Course. Presented by the Institute of Police Traffic Management. Fee: \$225. For more details, contact: Institute of Police Traffic Management, University of North Florida, 4557 St. Johns Bluff Road, S. Jacksonville, FL 32215.
- 6-10. Basic Homicide Investigation Seminar. Presented by the University of Delaware in Wilmington, Delaware. Fee: \$280. For further information, contact: Jacob Haber, University of Delaware, 2800 Pennsylvania Avenue, Wilmington, DE 19805. Telephone: (302) 738-8155.
- 6-17. Advanced Arson Investigation School. Presented by the Massachusetts Criminal Justice Training Council. For more details, contact: Massachusetts Criminal Justice Training Council, 1 Ashburton Place, Room 1310, Boston, MA 02108.
- 7-8. Robbery Investigation: Current Trends and Techniques. Presented by Harper & Row Criminal Justice Media. To be held in San Francisco, California. For further information, contact: Harper & Row Criminal Justice Media, 10 East 53rd Street, New York, NY 10022.
- 9-10. Hostage Negotiation and Recovery Seminar. Presented by the University of Delaware. Fee: \$225. For more details, consult: April 5-10.
- 9-10. Planning and Implementing an Executive/Dignitary Protection Program. Presented by the University of Tennessee. Fee: \$150. For more details, contact: Department of Conferences, University of Tennessee, 1529 Melrose Avenue, Knoxville, TN 37915.
- 13-15. Use of Deadly Force Seminar. Presented by the Traffic Institute. Fee: \$270. For further information, consult: April 6-10.
- 13-16. Injury and Death Investigation Course. Sponsored by the Department of Criminal Justice at the University of South Florida. Tuition: \$175. For further information, contact: Dr. Leonard Territo, University of South Florida, Tampa, FL 33620. Telephone: (813) 974-2815.
- 14-15. Hostage Situations in Correctional Facilities. Presented by the Pennsylvania State University. For more details, see: April 6-10.
- 14-15. Funding Sources Seminar. To be held by Harper & Row Criminal Justice Media. For further information, consult: April 7-8.
- 20-22. Managing the Criminal Investigation Seminar. Presented by the University of Delaware. Fee: \$225. For more details, see: April 6-10.
- 20-24. Basic/Intermediate Firearms Course. Presented by Smith & Wesson Academy. Tuition: \$300. For further information, contact: Smith & Wesson Academy, 2100 Roosevelt Avenue, Springfield, MA 01101.
- 20-30. Interview and Interrogation Course. Presented by Lake County Area Vocational and Technical Center. For more details, contact: Kenneth A. Bragg, Director, 2001 Kurt Street, Eustis, FL 32726.
- 20-May 15. Thirty-first School of Police Supervision. Presented by the Southwestern Law Enforcement Institute. For more details, contact: Cinda J. Burkel, Southwestern Legal Foundation, P.O. Box 707, Richardson, TX 75080.
- 21-23. Arson Investigation Seminar. Presented by Harper & Row Criminal Justice Media. To be held in Chicago, Illinois. For more details, see: April 7-8.
- 22-24. Communications Center Supervisors Seminar. Presented by the University of Delaware. Fee: \$225. For more information, consult: April 6-10.
- 22-24. The International Society of Stress Analysts Annual Seminar. To be held at the Fairmont Hotel in New Orleans, Louisiana. For more information, contact: Marilyn J. Van Graber, 144 Cliff Street, Burlington, VT 05401. Telephone: (802) 864-0435.
- 22-24. Tactical Approaches to Crime in Progress Workshop. Presented by the Traffic Institute. Fee: \$240. For further information, consult: April 6-10.
- 23-24. Identikit Training Course. Presented by the Florida Institute for Law Enforcement. Fee: \$15. For more details, contact: Florida Institute for Law Enforcement, P.O. Box 13489, St. Petersburg, FL 33733.
- 26-28. Annual Spring Meeting and Workshop on Evidence Photography. For further information, contact: Casey Jones, Executive Director, EPIC, 24 East Main Street, Norwich, NY 13815. Telephone: (607) 334-6833.
- 26-30. Terrorism in the 1980's. Presented by Richard W. Kobetz and Associates. To be held in Miami, Florida. Tuition: \$300. For further information, consult: April 6-9.
- 27-29. Blood Stains/Blood Spatter Workshop. Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, see: April 23-24.
- 27-May 1. Advanced Accident Investigation Course. Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$335. For more details, see: April 5-10.
- 27-May 1. Vehicle Theft Investigation Course. Presented by the Regional Criminal Justice Training Center. For more details, contact: Regional Criminal Justice Training Center, Yosemite Community College District, P.O. Box 4055 Modesto, CA 95352.
- 27-May 1. Regional Police Firearms Instructor School. Presented by the National Rifle Association of America. To be held in Tuscaloosa, Alabama. Fee: \$100. For more details, contact: NRA Police Activities Division, 1500 Rhode Island Avenue, N.W., Washington, D.C. 20035.
- 27-May 1. Intelligence School. Presented by the Massachusetts Criminal Justice Training Council. For more details, see: April 6-17.
- 27-May 8. On-Scene Accident Investigation

Program. Presented by the Traffic Institute. For more details, see: April 6-10.

27-May 23. Police Executive Development Institute. Presented by the Pennsylvania State University. For further information, consult: April 5-10.

28-30. Workshop on Computer Crime Investigation. Sponsored by Assets Protection Journal. To be held in Los Angeles, California. Fee: \$575. For more details, contact: Paul Shaw, Assets Protection Journal, 500 Sutter Street, Suite 503, San Francisco, CA 94102.

29-30. Women in Criminal Justice Course. Presented by the Massachusetts Criminal Justice Training Council. For more details, see: April 6-17.

29-30. Interviewing Techniques for Police Investigation. Presented by the Criminal Justice Center of John Jay College. To be held in New York City. For more details, contact: Ms. Barbara Natar, Criminal Justice Center, Room 2203, 444 West 56th Street, New York, NY 10019.

30-May 1. Annual Spring Conference on Criminal Justice. Presented by Illinois State University. For more details, contact: Mark Tezak, Department of Corrections, Illinois State University, Normal, IL 61751.

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3-8. Managing the Security Function Program. Presented by the Pennsylvania State University. For further information, see: April 6-10.

3-9. Advanced Protective Services Program. Presented by Richard W. Kobetz and Associates. To be held in Winchester, Virginia. For further information, consult: April 6-9.

4-8. Firearms Instructor Course. Presented by Smith & Wesson Academy. Fee: \$425. For further information, see: April 20-24.

4-8. Crisis Intervention Course. Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, consult: April 23-24.

4-8. Medicolegal Death Investigator Training Course. Presented by the St. Louis University School of Medicine, Division of Forensic & Environmental Pathology. Fee: \$175. For further information, contact: Mary Fran Ernst, Division of Forensic & Environmental Pathology, St. Louis University Medical School, 1402 So. Grand Blvd., St. Louis, MO 63104.

4-15. Managing Suburban Police Departments. Presented by the Traffic Institute. For more details, see: April 5-10.

6-8. The Psychology and Techniques of Interviewing and Interrogation Seminar. Presented by the University of Tennessee. Fee: \$150. For more details, see: April 9-10.

11-21. General Criminal Investigation Course. Presented by Lake County Area Vocational & Technical Center. For more details, see: April 20-30.

11-22. Advanced Administrative Officer Seminar. Presented by the Southern Police Institute. Tuition: \$400. For further information, contact: Admissions office, Southern Police Institute, University of Louisville, Louisville, KY 40292.

11-22. Law Enforcement Supervision Course. Presented by the Regional Criminal Justice Training Center. For more details, see: April 27-May 1.

13-15. Workshop on Computer Crime Investigation. Sponsored by Assets Protection Journal. To be held in Dallas, Texas. Fee: \$575. For more details, consult: April 28-30.

13-15. Chemical Agents Administration Course. Presented by Smith & Wesson Academy. Fee: \$300. For further information, see: April 20-24.

14. Seventh Annual Criminal Justice Speakers Consortium. Presented by the Criminal Justice Center at John Jay College. To be held in New York City. For more details, contact: Laura Kelly, John Jay College, 444 West 56th Street, Room 2104S New York, NY 10019. Telephone: (212) 489-3592.

14-15. Civil Liability Course. Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$190. For further information, see: April 5-10.

17-21. Hostage Tactics and Negotiations

Program. Presented by Richard W. Kobetz and Associates. To be held in Winchester, Virginia. For more details, see: April 6-9.

17-22. Institute on Training in Crisis Intervention. Presented by The National Conference on Christians and Jews, Inc. To be held at the University of Louisville School of Medicine, Louisville, Kentucky. For further information, contact: J. Paul Fralick, NCCJ 305 W. Broadway, Suite 407, Louisville, Kentucky 40202. Telephone: (502) 583-0281.

16-20. Twenty-first Annual New York Professional Polygraph Seminar. Presented by the National Training Center of Polygraph Science. Fee: \$125. For more details, contact: The National Training Center of Polygraph Science, 1109 Medical Arts Center, 57 West 57th Street, New York, NY 10019.

25-29. Police Photography Course. Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, see: April 23-24.

Having friends over?

If you're planning a professional gathering such as a conference, seminar or workshop and wish to reach the right people, why not tell Law Enforcement News first? An announcement in the regular Upcoming Events column will guarantee that your news reaches thousands of concerned criminal justice professionals with an active interest in the training you have to offer.

To reserve space, please send announcements at least two months in advance of the meeting date. Address all submissions to the attention of Ms. Evelyn Otero, Upcoming Events Coordinator, LEN, 444 West 56th Street, NYC 10019.

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Pennsylvania prescription plan cracks down on drug fraud

Continued from Page 13

sumably he really doesn't care about the problem. All five camera locations have responsible and concerned pharmacists who are anxious to solve this problem of drug abuse. Regular customers are not inconvenienced since the application is controlled by the pharmacist. It is a standard practice for the pharmacist to phone-check the origin of a prescription and the customer's identity, especially for an individual who comes from another suburb to fill a drug prescription. The option to fill a prescription is still in the hands of the pharmacist. If he is still not sure, he may simply ask the customer to step in front of the camera, at which point he will fill the prescription. Usually, if it is fraudulent, the customer will refuse the photo and exit, leaving the forged prescription behind.

The motive behind this crime-prevention program is to stop the offering of fraudulent prescriptions in the community by building a reputation in the illegal drug community: "Don't go to Mt. Lebanon with bad paper; they'll take your picture."

A secondary benefit is a reduction of shoplifting and armed robbery opportunities by keeping drug abusers out of stores and the community. All five pharmacists in Mt. Lebanon's program agree that the problem has been solved for them. Each store was averaging 360 frau-

ulent prescriptions per year, and this number has come down to about five per year since the cameras were installed. One druggist had two subjects who allowed themselves to be photographed, yet the prescription was never filled because the druggist suspected fraud. In cooperation with other police agencies, identification was made from the photos, which resulted in arrests, charges, and convictions. Again this was a bonus for the Mt. Lebanon Police Department in that two crimes were solved and the word spread, "Stay out of Mt. Lebanon."

Two of the stores without cameras continue to receive fraudulent prescriptions at the rate of approximately 360 per year. The third pharmacy, located in a hospital, has changed its policy and will fill narcotic prescriptions for hospital patients only, and this is only in the daylight hours so that a phone check can be made immediately. The chief pharmacist stated that no fraudulent prescriptions have appeared since this policy change.

William L. Rieg is a supervisor with the Mt. Lebanon Police Department. For information concerning this program, contact Mr. Rieg in care of the Mt. Lebanon Police Department Crime Prevention Unit, 710 Washington Road, Mt. Lebanon, PA 15228.

Book review: exploration of brutality case hits the mark

Continued from Page 11

ford Glover, wearing a white cap, and his step-father, Add Armstead, were walking to work in a nearby auto junkyard.

Later Shea reported, "When I got out to identify myself, one of them (Glover) said 'You're not taking me.' Then they ran." The white-capped man suddenly turned, according to Shea, pulled out a black revolver and aimed it at him. Shea fired three shots in self-defense.

Despite a thorough search the aforementioned revolver was never found. Shea's "assailant", Clifford Glover, 10 years old and ninety pounds in weight, died in the hospital a few hours later.

Shea and Scott brought Add Armstead back to the precinct under arrest. At all times they seemed genuinely convinced they were enforcing law and order. In the stationhouse Scott said, "Keep an eye on him. This man's my prisoner."

It was a grimly historic occasion. Shea eventually became the first police officer in New York to be tried for murder in 50 years. His arrest, indictment and trial ignited civil rights groups and the entire black community. For the D. A.'s office it was "the most expensive and explosive case in years." The great question was: had Shea, a seasoned, conscientious officer, made some fantastic error of eyesight and judgment, or had he shot Glover in a fit of racist rage?

This is a strict, fair book. All the facts

are here, brilliantly assembled, and it is all tremendously well done. It has to be read very attentively, though. The reader, like a juror at the actual trial, must consider scrupulously all the pros and cons, including a long statement by Shea himself, that is full of genuine torment. As a legal case it must be a classic in forensic history. Flying in the face of all the evidence, going against all the odds, the strenuous, flowery defense lawyer, Jack Evseroff, accomplished the impossible and won an acquittal for Shea from a civilian jury.

His victory did not last very long. The Police Department dismissed Shea for failing to use utmost care in handling and discharging his service revolver. Scott was dismissed "for wrongfully and knowingly impeding an investigation into the death of Clifford Glover by false and misleading statements."

This is a good book about what someone once called the ageless ambiguity of things.

—John Preston
Librarian

New York City Police Academy

Read a good book lately?

Tell us about it. Law Enforcement News will publish reader-contributed reviews of newly published books relating to criminal justice. Manuscripts should be typewritten and range in length from two-to-five pages. Send submissions to the editor.

Police Products

Items about new or modified products are based on news releases and/or other information received from the manufacturer or distributor of the item. Nothing contained below implies the endorsement of Law Enforcement News.

ABSCAM REVISITED — Visual Methods, Inc. has recently unveiled a new way to play peek-a-boo. It's the Abscam Pinhole Camera System, a closed-circuit television unit that permits undercover video recording under normal lighting conditions.

Consisting of an f/1.8 pinhole lens connected to a 550-line, high resolution camera, the system is said to provide up



to five times more light sensitivity than any comparable setup.

The business end of the system features a standard 3/8" opening which is tapered to fit into freshly drilled or existing holes, allowing the camera and lens to be concealed behind walls or ceilings. Interchangeable apertures enable the camera to view through holes as small as 1/16" for maximum concealment.

The camera that is included with the package has an automatic light compensation range of 10,000-to-1 and a sensitivity of one foot candle. The lens has an 11mm focal length and a 52° field of view.

Powered by either 117 or 24 VAC, the system is said to be priced lower than a separately purchased camera and pinhole lens. Options include a Vidiplex system with camera power supplied through a

single coaxial cable, eliminating the need for a power source at the camera site. A Newvicon tube for low-light applications is also available.

For additional information write: Visual Methods, Inc., 35 Charles Street, Westwood, NJ 07675. Telephone: (201) 666-3950.

TALK IS CHEAP — Genave's ECOM 40H is a full-feature VHF-FM walkie-talkie that reportedly carries one of the lowest price tags among transceivers in its class.

Priced below \$300, the unit has four-channel capability, operating on the 143.9 to 173.4 MHz frequency range and ranking out a minimum 1.5 watts of power. The basic unit includes one frequency of the purchaser's choice. Additional frequency modules and a sub-audible tone generator are available at extra cost.

Housed in a Lexan case, the ECOM 40H is engineered for durability. Ready access to both sides of the device's printed circuit board makes troubleshooting and replacement of parts relatively easy.

More details can be obtained by writing: Genave, Inc., 4141 Kingman Drive, Indianapolis, IN 46226.

FIRE-UP WITNESS — Film Communicators is distributing a 16mm color/sound film entitled "Firefighter on the Witness Stand," an offering designed to boost the credibility of anti-arson personnel who testify in court.

According to the 22-minute presentation, a successful arson prosecution requires enforcement personnel to possess courtroom skills which can be learned and perfected.

The movie attempts to involve the viewer in a mock arson trial to illustrate the proper way to testify, while stressing

the importance of pretrial preparation and professional courtroom behavior.

Suitable for presentation to fire service, law enforcement and insurance personnel, the film is available for sale or rent from: Film Communicators, 11136 Weddington Street, North Hollywood, CA 91601. Telephone: (213) 423-2400.

HOLD TIGHT — Smith & Wesson added a new entry to its extensive holster line-up this month, introducing the Model 29L Slimline.

As police departments become more fashion-conscious and opt for close-fitting tailored uniform coats, the bulge produced by their officers' sidearm has led to a comfort and safety problem.



Smith & Wesson states that when the new holster is matched with its Model 132 Lined Belt, a service revolver will ride comfortably without slapping the cop's thigh or snagging on underbrush.

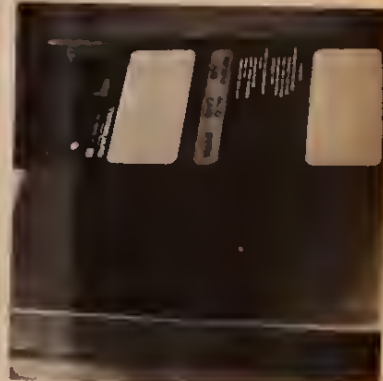
Both the body-hugging holster and the belt are cut from pre-finished brown leather to assure a good color match. The

Slimline has concealed belt loops and is tailored to fit most popular small and medium-frame revolvers with two-to-four-inch barrels.

For details, visit an authorized S&W dealer or write: Smith & Wesson, 2100 Roosevelt Avenue, Springfield, MA 01101.

ID TV — The Twinguard TG 8000 permits a single security guard to check the IDs of incoming personnel at multiple entrances merely by monitoring a color television screen.

The device transmits both the image of the person desiring entry and a close-up



of his ID card to a master closed-circuit unit. The system has internal lighting to enhance the color image and permits videotaping of all entering for a permanent access record.

Measuring 5 1/4" deep, 21" wide and 24" high, the Twinguard can be interfaced with electronic ID card systems. A black-and-white version of the access unit is also available.

Contact: Visual Methods, Inc., 35 Charles Street, Westwood, NJ 07675.